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ABSTRACT

Twenty-eight lesson plans developed by California teachers who attended a summer institute on Congress and the Constitution are presented in this document. Sample lesson plan titles are: (1) "Geopolitics and the Constitution," (2) "Judicial Review," (3) "Electoral College and the Constitution," (4) "First Amendment Rights," (5) "Mr. Truman and the Federalists," (6) "Understanding the Power Granted by the Constitution," (7) "Name and Identify that Amendment," (8) "Natural Law and Inalienable Rights," (9) "Supreme Court Simulation," and (10) "Who Can Become a Public Official?" For each lesson plan the following are given: (1) lesson title, (2) subject area/level, (3) lesson time, (4) prerequisites, (5) instructional objectives, (6) materials needed, (7) procedure (including opening activity, steps, and closing activity), (8) evaluation methods, and (9) the content of handouts, if any. Photographs and short biographical sketches of the contributors are included. (JB)

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WHO SAID LEARNING ABOUT THE CONSTITUTION ISN'T FUN?

ACTIVE LESSONS ON THE U.S. CONSTITUTION FOR JUNIOR AND SENIOR HIGH SCHOOL STUDENTS

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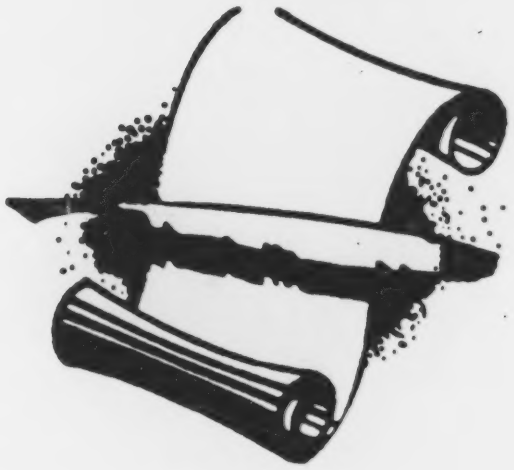

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Lessons created by participants at CONGRESS AND THE CONSTITUTION: A SUMMER INSTITUTE FOR TEACHERS 1988

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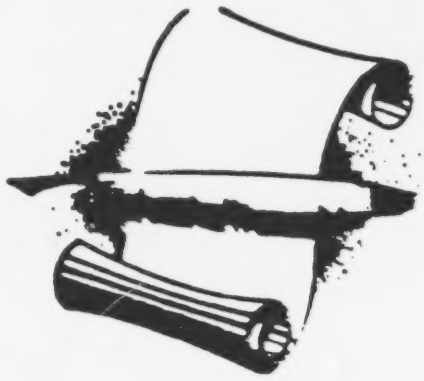

Compiled and Edited
by
Elizabeth Cramer
and
Margaret Hill

Lessons created by participants at
CONGRESS AND THE CONSTITUTION: A SUMMER INSTITUTE FOR TEACHERS
1988
Sponsored by the Commission on the Bicentennial of the U.S. Constitution
and the
Chaffey Joint Union High School District

To order this book, contact:

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Chaffey Joint Union High School District
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LARRY McFADDEN

Larry has taught English, US History and World History at the Middle School level for 5 years. He has also coached boy's and girl's sports. His hobbies are softball and camping.

LESSON TITLE: Examining an Amusement Park Search

SUBJECT AREA/LEVEL: 8th Grade US History

LESSON TIME: One class period and one hour of homework

PREREQUISITE:
Amendments 4 and I4 should have already been studied thoroughly.

INSTRUCTIONAL OBJECTIVES:

I. To examine individual rights vs. public good, in light of Amendment 4

2. To examine the points of view of those conducting the search and those being searched

3. To examine a civil rights issue, in light of Amendment I4

MATERIALS NEEDED: paper, pen or pencil and handout

PROCEDURE:

OPENING ACTIVITY:

Give students handout and read the situation as a class. Have students reflect on their feelings silently.

STEPS

1. Review Amendment 4
2. Review Amendment 14
3. Have students openly debate their feelings concerning the handout. (You may divide the students into 2 groups to take opposite positions.
4. Have students write their "gut" feelings about what they have observed.

CLOSING ACTIVITY:

1. Have students grapple with public good vs. private rights issue.
2. Have them write one-half to one page taking each side of the issue.
3. Have them write one-half page on the issue of singling out Hispanics to search, in light of Amendment 14.

EVALUATION:

Read some of the better ones orally and have a class discussion.

HANDOUT: EXAMINING AN AMUSEMENT PARK SEARCH

You and your friends go to an amusement park. You are ready for an exciting day at the park. There is a very long line to get in and you notice park officials searching people. You notice that young Hispanics are being searched thoroughly while middle aged whites are being mostly ignored. When you ask why all the fuss is going on, you are told that there had been a gang-related stabbing the night before. The park had received reports that there would be further incidents this day.

Some thoughts that may cross your mind may come into conflict. You certainly don't want to be caught in the middle of gang violence, but you have no intentions of harming anyone. You might object to being searched. On the other hand, you might not object to being searched because it is being done for your own safety.

You might also wonder about the fairness and legality of searching someone who looks a certain age and is from a certain ethnic group.

TONY LUMSDEN

BA and Credential at UCLA
MA Education U of Oklahoma
Social studies teaching experience 9 years at Junior and Senior High levels in California, Oklahoma, and Spain.
Projects Facilitator and social studies teacher at Beaumont High School since returning from Europe in I985.

LESSON TITLE: **The Articles of Confederation or the Constitution: Which Will it Be?**

SUBJECT AREA/LEVEL: U.S. History/U.S. Government

LESSON TIME: 2-3 days

PREREQUISITES:
Familiarity with the reasons for and results of the American Revolutionary War; and why the current government under the Articles of Confederation is having problems meeting some of the country's needs.

INSTRUCTIONAL OBJECTIVES: Students will be able to:
I. Explain the basic problems facing the United States under the Articles of Confederation.
2. Explain the powers held under the Articles of Confederation.
3. Explain the reasons for calling a convention in Philadelphia in I787.
4. Decide whether to keep the Articles or ratify the Constitution weighing arguments from the Federalist and Anti-federalist perspectives.

MATERIALS NEEDED: Excerpts from the *Federalist Papers* and from the *Essential Anti-Federalist Papers* presenting arguments for and against ratification of the Constitution. Copies of the summarized Articles of Confederation.

PROCEDURE: OPENING: Students are told that they are the citizens of one of the original thirteen states-- excluding Rhode Island. They are at a meeting where they will be listening to arguments for and against the ratification of the Constitution recently completed in September I787. (one could divide students into groups to represent the several states).
STEPS:
I. Teacher hands out copies of the summarized Articles of Confederation.

2. Teacher explains the problems now facing the US Government under these articles, the teacher role plays a concerned citizen and holder of the Federalist view. (review)
3. Teacher asks his/her fellow citizens to please take note (students get out paper and pencil), he/she begins to present the main arguments from the *Federalist Papers* for ratifying the Constitituion using these excerpts:
   1) weaknesses of the Articles.
   2) security of the U.S.
   3) fear of a disunited America..
   4) need for a strong union to counter war between states.
   5) to counter domestic factions and revolts.
   6) advantages to American trade and economy.
   7) power of taxation to insure peace.
   8) to secure civil rights.
   9) the benefits of an energetic executive.
   10) the necessity and benefit of a national judiciary.

CLOSING ACTIVITY: The Federalist thanks the audience and bids them adieu. The student-citizens are then asked to explain to the members what they understand was meant by each argument presented. Class or group discussion is utilized in order for students to clarify the meaning and their understanding of the arguments.

DAY 2

PROCEDURE: Opening: Students are reminded that they are citizens of a state and there to hear opposing arguments to the Constitution.

STEPS:

I. Enter the Anti-federalist (teacher) who greets the audience and begins to present the arguments against the ratification of the Constitution and therefore the perpetuation of the Articles.
2. Upon completion of the presentation, the student-citizens are asked to explain and to clarify each of the Anti-federalist arguments against ratification.
3. Once clarified, the class or small groups will debate the issue of supporting the ratification of the Constitution or not.

CLOSING ACTIVITY: After a given amount of debate, a vote would be taken. Groups or individuals could be called on to give their reasons for voting as they did.

EVALUATION:

This could be done by observing their note-taking, the types of questions raised, the reasons given for voting as they did and their contributions to the group or class discussion.

LESSON 3 p. 1
JANET GRIFFITH

BS Home Economics at UC Davis, Minor in Social Studies. MA in secondary education at California State University in San Bernardino. Janet has been teaching Social Studies at Norco Senior High School for the past three years.

LESSON TITLE: Civil Rights

SUBJECT AREA/LEVEL:
Social Studies, History, Government, Grades l0 to l2

LESSON TIME: 2 class sessions

MAJOR UNDERSTANDING:
After studying the lesson the student should understand some of the many conflicts that result when you try to put what is written into practice.

INSTRUCTIONAL OBJECTIVES:
The student shall be able to:

1. define "civil rights".
2. identify the constitutional amendments, legislative acts, supreme court decisions, and historical incidents that have led to the civil rights protections that are available to citizens of the U.S.
3. evaluate how each of these apply to his/her rights today.

MATERIALS NEEDED:
Copies or summaries (depending on the level of the student) of at least the following legislative acts, definitions, and Supreme Court decisions:

1. l4 th and l5 th Amendments
2. Civil Rights Act of l964 and l965
3. Supreme Court decision : Brown vs. the Board of Education of Topeka
4. Title IX

5. Affirmative Action
6. Video Tape #3 "Equal Justice Under the Law"
   30 minutes playing time.
   Regional Education Television Advisory Council
   9300 E. Imperial Highway
   Downey, CA 90242-2890
   213-922-6212
7. Television and VCR

PROCEDURE:
DAY 1

OPENING ACTIVITY: Have written on the board these questions:
1. What does the term "Civil Rights" mean to you?
2. List as many of the origins of today's civil rights as you can. Include constitutional amendments, Supreme Court decisions, and/or historical incidents as you can that have led to the civil rights protection that we now have in the U.S.
3. Cite at least one example of how people might be discriminated against today.

Discuss answers. (May give a prize or special treatment to the person who has the longest list for #2 as the best informed).

STEP 1

Divide the class into groups. Give each group a copy of an amendment, civil rights legislation, definition, or Supreme Court decision that helps to protect each individual's civil rights today. (As mentioned in materials list)

Have each group read and discuss the materials and have one person act as a spokesperson to give a short summary to the rest of the class of the major points made by each.

DAY 2

Have students divide a sheet of paper into 4 equal parts and share with others. Give a quick quiz, using the same questions as day 1.

Introduce the video tape and its format.
Watch the tape.
Discuss the incidents depicted in the video.

Here are a few questions that might start the discussion.

1. Why was it important for Rose to have a good paying job?
2. Where were the kid's parents?
3. Would the situation have been different if Rose were supporting only herself and did not need to send two grandchildren to college?
4. Since age is the question, what do you think is Rose's age?
5. Can you think of any other responsible jobs that are held by people over fifty?
6. What activities do you think the job might include?
7. Why didn't the company want to hire her?
8. Would Ms. Sawyer's employment bring problems to the company?
9. Might affirmative action have a place in this case?
10. Which of Ms. Sawyer's rights were being denied?
11. Were the employer's rights being denied prohibiting him from "doing what is best for the company"?
12. Is hiring for jobs based on who is best qualified for the job, or are there other factors?
13. Is ability and experience a valid means to determine who is to be hired?

CLOSING ACTIVITY:

Possible activities, depending on time.

1. Role play Ms. Sawyer and employer to see how students would complete the story.
2. Resume groups from the day before, with one person from each group on either side of a debate concerning the question: "Should Rose Sawyer be hired for this job as a pilot?" Yes or No.
   (Winners of the debate could get a special treat).

EVALUATION:

Evaluation, in part, can be done by group and individual participation and class discussion. Formal testing can also be used to determine knowledge of concepts, definitions and identification of civil rights issues.

Also play a civil rights game. Have various situations of infringement to individual rights on slips of paper. Divide into teams. The first team to match the situation to the amendment, act, or Supreme Court decision that prevents it, wins.

LESSON 4 p. 1
BETTY CRAMER

BA University of Pacific; Credential UC Berkeley; MA Claremont Grad. School Government. Currently teaching World History, American Government and Economics at Chaffey High School, Ontario, California.

LESSON TITLE: Geopolitics and the Constitution

SUBJECT AREA/LEVEL: American Government Grade l2 Adaptable all levels.

LENGTH OF TIME FOR THE LESSON: Six class sessions of introduction to a semester ongoing approach to teaching government.

PREREQUISITE: US History; One student having knowledge of Appleworks

INSTRUCTIONAL OBJECTIVES:

1. Students will define the concept of political factions.
2. Students will describe California as a geographic, political, social, cultural and economic micro USA.
3. Students will explain in an essay the concept of enlarged sphere and diversity of interest curing the "mischief of faction".
4. Students will role play to experience the concept of the multiplicity of competing interests in the governing process. They will then describe the role play experience in writing.
5. Students will discover and describe the competing interest groups in California through research and discussion.
6. Students will use the computer as a tool in organizing, storing and retrieving information.

MATERIALS NEEDED:

1. Textbook: Noel J. Stowe, *California Government*
2. Physical maps of California (color preferred) and the USA
3. Political maps of California (counties/cities) and the USA
4. Library with reference materials particularly the *California Journal,* a magazine with monthly and annual index.
5. Copies of the index to *California Journal.*
6. A copy of *California Journal* to show students.
7. A computer and a word processing software program (Appleworks or

Macwrite, for example). A computer lab will be used in this lesson.
8. A startup disk, a program disk, a formatted data disk. (a set of these if you are using a computer lab).
9. A pack of 3x5 cards for students to use for bibliography
10. A copy of *Federalist* #10.
11. A copy of the California Constitution and the US Constitution (see your local representative for a class set).
12. A wall-size sample bibliography card.

PROCEDURE:
OPENING ACTIVITY:
DAY I
Anticipatory set on the chalkboard:
"... measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority."
James Madison, *Federalist #10*

Encourage class discussion with students offering examples:
1. What does this say about group decisionmaking?
2. How could a minor faction (the non-winners) feel/react to a major decision?
3. Should the minority rights be overridden by majority rule?

Step I
Divide the class into ten cooperative learning groups of 3 or 4 students each. Provide each group with a geographic area of California to "live in".
1. North coastal
2. Sierra Nevada Range
3. Lake Tahoe region (remind them that the lake is partly in Nevada
4. The Mother Lode of Northern California above Stockton/Sacramento
5. The Great Central Valley from Stockton to Bakersfield
6. Cosmopolitan San Francisco Bay Area
7. Los Angeles-Hollywood Metropolitan Area
8. Newport Beach to San Diego area
9. Desert and Imperial Valley
10. San Bernardino County from Ontario to Needles

Step 2
Each group must list at least ten characteristics of its area including geography, culture groups, industries, and overall economy. They need to describe their region with this list.

Step 3
Each group must list at least two problems their area has, for example, flood, drought, smog, water pollution, etc.

Step 4
Bring the groups back to a group of the whole and have each group report on their ideas. Other groups may add to or challenge their perception of the region described.

Step 5
Homework assignment: Read Chapter I in Stowe's *California Government,* entitled "California's World". Assign the following four questions based on the reading.

1. What are some examples of California's regionalism -- cultural, political, and geographical?
2. How does the state's size affect its politics?
3. What has been the effect of California's being separated from the national political and economic setting?
4. How has California's physical closeness to foreign countries affected her?

DAY 2
OPENING ACTIVITY: Anticipatory set on the chalkboard:
James Madison's definition of a faction: "By a faction I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." -- *Federalist #I0* --

Discussion: Guide students in thinking of an interest that some "faction or region of California might have that would be adverse to the rights of other citizen needs within the state or to the aggregate interests of the state's people (water needs always works, for example).

Step I
Discuss and collect the students' homework questions. In this discussion be sure to discuss the fact that the USA as a nation is much like California as a state with these varied interests. Do not spend a lot of time on this point right now, however.

Step 2
Overview with students a mini research project; tell them they will be doing the following:

I. Researching an issue in the *California Journal.*
2. Preparing a group bibliography on California issues for the computer.

3. Preparing a group data base on California issues for the computer.

Hand out copies of the INDEX of the *California Journal.*
Show the students how the index works -- it is different from the index to the *Reader's Guide to Periodical Literature.* Also show them a copy of the magazine, *California Journal*, so they will know what they are looking for in the library. A class set of the CJ (different months) is a good idea because it familiarizes the students with the format of the magazine and the type of information that can be found in it.

Step 3

1. Reassemble the class into their small groups to look for their group's (region's) particular problem to research (ex. protection of salmon fishing habitats in Northern California, or logging industry conservation in Northern California when Southern California wants to build houses).
2. Students will need to make a list of the periodical dates and articles they can use for their group.
3. Announce to students to meet in the Library Reference Room tomorrow.

Homework assignment: Review Stowe's Chapter I and answer these six questions:

1. What has attracted people to California?
2. Where do most Californians live?
3. What areas make up the "megalopolitan" setting?
4. What are some of California's important ethnic and racial groups?
5. What developments have helped to slow the state's growth rates?
6. How does the state government help to provide a uniform approach to meeting California's problems? How does state government bring unity of the diversity that is California?

DAY 3

Collect homework questions to discuss on Day 4
Library day when students are to meet there.
The goals for the day need to be reviewed:

I. Students look in *California Journal* to find articles they looked up in index to the C J yesterday.
2. Students read articles in the *California Journal* , taking notes of information to put into the computer data disk on their topic.
3. Teacher puts bibliography sample on wall.
4. Students prepare a bibliography card for the article they read.
5. Students hand in notes and bibliography cards at the end of period. Anyone who does not finish has homework.
6. Teacher look over all handin materials after class.

DAY 4

Before class the teacher needs to format a data disk and set up a file on the disk to receive information from the students, based on their library research yesterday. It will make the computer activity go faster if a file name has already been entered for each regional "issue" group. The teacher shall have shown one computer literate student how to help the students enter their material and their bibliography entries on the computer and save the information to the disk.

If you can schedule a class period in the computer lab that would be best for getting all the class on the computer at once. You would need one computer for each group or l0 computers, l0 disks, etc.

Step I

Anticipatory Set: About 90 per cent of the work done on legislation is performed by legislative committees. - adapted quote-

Discussion:

Ask students to interpret the quote.

Step 2

Return homework questions handed in on Day 3. Discuss.

Tell students that they will be acting as a committee today doing background work on legislation. They need to see this as a preparation for work as a legislative committee.

1. Teacher returns yesterday's library research and bibliography cards to students.
2. Teacher explains the committee task for today.
   1) students will meet in their regional "issue" groups
   2) students will pool and modify their notes into footnoted data to put into a computer data disk.
   3) caution students that this information needs to be in simple outline form and footnoted.
   4) information needs to be put into two categories:
      a. Geographic region characteristics
      b. Regional problems or special needs
3. Students meet in committees and prepare their material for the computer. As students finish each group may go to the computer and put their information on the disk.
4. Since this computer entering activity will carry over to Day 5, students need to be pushed along to get it ready by the end of this class session.
   If a computer laboratory is available to you it will simplify this activity if you take the class to the lab and follow the procedure outlined in the appendix to this lesson.

5. Teacher collects finished material from each group. If some slower students are not finished, they have this to do for homework. No other homework is assigned.

DAY 5

Anticipatory Set:

"There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

"There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests." -Madison, *Federalist #l0-*

Discuss the set, especially the ideas the students have for controlling the effects of faction ("the superior force of an interested and overbearing majority" -- Madison, *Federalist #l0).*

Students meet as a committee of the whole. A group spokesman for each region will describe the region and one problem of the region. The class will choose one problem to discuss solutions. They will break into their original regional groups to discuss the one problem that the class decided on. They need to write their recommendations for solutions to that problem and the possible problems caused for different regions (especially their region) by the solution.

Return to a committee of the whole, each group reporter describes their solutions and its problems to the committee of the whole. Hopefully some debate will come at this point by people who are totally or partly unhappy with the solutions. Encourage debate with questions of effects if they do not think of the negative effects themselves.

Call for a class vote on the best solution(s).

DAY 6

Anticipatory Set on chalkboard:

"Extend the sphere [from the state to the national level] and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens" - Madison, *Federalist #10* -

Step 1

Discuss this idea in terms of Madison's belief that the national government will be similar to the state of California, consisting of a great multiplicity of interests enlarged by even the small number of states that were debating the issue of a Confederation vs. Federal system. Be sure to have your physical map of the United States in front of the class to be able to compare to your California physical map. Involve the students in pointing out the similarities of geographic features and problems of the

nation to those of the large state of California.

Step 2
Group the students into national geographic regional groups with their assistance using the regional groupings of California. For example, the coastal areas that are also metropolitan in the nation, the wooded coastal areas, the national desert areas, etc.

Step 3
Handout a printout from the data base for each group of students to use to accomplish the following:

1. Using your database determine where in the USA you would most likely find the geographic issues and the various problems of your California region in the US.
2. Prepare by notetaking any information that you will need for the evaluation process which follows.

EVALUATION

Essay Exam
Provide students with the following essay question to take home and prepare to hand in on Day 7. The essay must be at least 200 words, in ink, with attention paid to the form and substance of the essay as well as to correct English.
Define the concept of political factions and describe California as a geographic, political, social, cultural and economic micro USA. Include in your essay Madison's argument of the "larger sphere taking in a greater variety of parties and interests" which "makes it less probable that a majority of the whole will have a common motive to invade the rights of other citizens" (Federalist #l0). Be sure to show in your essay how this is possible as you see it, or how it is not possible as you see it.

Group evaluations: As students worked through the 6-day lesson the group has been handing in their group reports. Those should receive a group grade. During all group activities the teacher should be evaluating as the group works.

FOLLOW UP ACTIVITY: Use chapter two of Stowe's *California Government*, "A World of Issues," with topics such as air pollution, transportation, land use, water needs, energy needs, minority groups, federal funding, tax reform, and financing public education (Proposition l3) as a resource for showing the interrelationships of federal and state governments under federalism and as a springboard to term paper research.

BERNICE STANSBURY

BS degree and MA in Education from California State University San Bernardino. Bernice teaches World History, US History and 7th and 8th Gate Social Studies. She is the Social Studies department chairman at Curtis Intermediate School in San Bernardino. She was a member of the team who wrote the Social Studies curriculum guide for grades 7-12 for the San Bernardino Unified School District. She was recently nominated for Who's Who in American Education for 1988-89. She is an activist in community support of Fair Housing in San Bernardino County.

LESSON TITLE: **Judicial Review**

OVERARCHING CONCEPT:

Understanding how the Constitution has changed through Judicial Review.

SUBJECT AREA/LEVEL: 8-12th Grades

LESSON TIME: 3-4 class periods

INSTRUCTIONAL OBJECTIVES:

1. Students will identify examples of Judicial Review
2. Students will be able to explain Judicial Review as an aspect of Constitutional change.

MATERIALS NEEDED: Copies of each of the following:

1. Marbury vs. Madison (for teacher)
2. McCulloch vs. Maryland (student handout)
3. Vocabulary list: judicial review, constitution, declare, null and void, law, interpret, amendment, land, implied, Supreme Court,

unconstitutional, John Marshall

4. Evaluation check (student handout)

PROCEDURES:

STEP 1

Introduction to the concept of judicial review. This may be done by the instructor or by handout for students to read:

One of the most vital powers of the federal judiciary is not stated in the Constitution. This is the practice known as "judicial review", whereby the courts decide whether state and federal laws accord with the Constitution. If the judiciary decides that a law is unconstitutional, it ceases to have effect. Thus the federal judiciary, and especially the Supreme Court, exerts a veto power. Furthermore, this veto extends beyond legislation to the actions of state and federal executives and to the decisions of state courts.

In no other country in the world does the judiciary exert so much power. It is not clear whether the authors of the Constitution meant to grant the courts such immense authority, but judicial review was an obvious interpretation of Article VI, clause 2, which states that the Constitution is the "Supreme Law of the Land".

Review of the text :

1. The Supreme Court has the right to review and interpret the Constitution.

2. The Supreme Court has the right to declare laws unconstitutional.

3. Judicial Review is an implied power established by John Marshall in Marbury vs. Madison.

4. The U.S. Constitution is the "Law of the Land".

STEP 2

OPENING ACTIVITY:

Objective: to show how rules can vary according to interpretation and fairness much like the U.S. Constitution.

Teacher will make up a list of class rules. There are three categories of rules:

1. Clear (constitutional) not in conflict with the school rules;

2. Unclear; open to interpretation

3. Clear (unconstitutional) unfair rules that are in conflict with the school rules and society's norms.

Students will review class rules and determine which categories apply.

Teacher will discuss students' finding and how the job of the Supreme Court is similar to what the students were doing. Reviewing laws/rules and making improvements. All rules that are unclear or unfair should be discussed and changes made to make the rules clear/fair.

Sample Rules:

1. Students shall not eat in the class.

2. Students shall arrive to class before the tardy bell rings.

3. Students shall attend class with pen, pencil and paper.

4. Students shall wear yellow clothing on Mondays.

5. Students shall not violate the rights or property of anyone in the class.

6. Students shall not dress in a manner inappropriate for school.

7. Students shall remain seated at all times.

8. Students that the teacher dislikes will have extra homework.

9. All students must pay the teacher $1.00 on Fridays.

DISCUSSION:

1. What are the implications?
2. Do the rules conflict with those of the school?
3. Can the interpretation change? On what basis?

ACTIVITY 2

Background and history of Judicial Review

Inquiry: What is the job of the Supreme Court?

Article 3 Section 2 of the Constitution states:

In all cases affecting ambassadors other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Discuss Article 3 Section 2 with students. Explain original jurisdiction and appellate jurisdiction.

Inquiry: Does the Supreme Court have the right to review and interpret the Constitution? Where is this stated?

Introduce Marbury vs. Madison.

In Marbury vs. Madison Justice John Marshall established Judicial Review by stating that the Supreme Court had the power to declare a law of Congress unconstitutional. Ever since this decision, the Supreme Court has had the final say on laws of Congress.

ACTIVITY 3

McCulloch vs. Maryland

1. Read handout (side one) with the students on McCulloch vs. Maryland.
2. Discuss the case with the students.
3. Explain the decision made by Justice Marshall and the Supreme Court. (side two)
4. How was Judicial Review used in this case?

MC CULLOCH VS. MARYLAND

A case testing the supremacy of the national government came before the Supreme Court in 1819.

Congress had passed a law in 1816 creating the second Bank of the United States to operate. The bank acted as a depository or holder of money, for the United States government and therefore enjoyed a favored position in business. Banks chartered by individual states resented the power of the Bank of the United States and its branches around the country.

Maryland's state legislature passed a tax on banks not chartered in Maryland. This in effect was a stamp tax on the Bank of the United States. James W. McCulloch, cashier of the Baltimore branch of the Bank of the United States refused to pay the fees. The state of Maryland then filed a lawsuit against McCulloch.

The federal government claimed that the Maryland law was unconstitutional because it limited the power of the national government to create a bank. Maryland claimed that the Constitution gave the federal government no power to establish banks.

What were the facts in this case? Look at Article I, Section 8, of the United States Constitution. The questions to be considered are these: Does Congress have the power to establish a federal bank? If so, does a state have the power to tax an agency of the national government? If you were a Supreme Court justice hearing this case how would you decide?

MC CULLOCH VS. MARYLAND
OPINION:

The Supreme Court declared the Maryland law unconstitutional. In presenting the Court's decision, Chief Justice John Marshall stated that the Constitution did not forbid the national government from establishing a bank. Although the Constitution did not say that Congress could establish a bank, it was implied in the so-called elastic clause. This clause of the Constitution gave the Congress the power "to make laws which shall be necessary and proper" for carrying out its other powers. Article 6 also stated that "this Constitution, and the laws of the United States... shall be the supreme law of the land." Therefore, the Court declared that the states may not tax or otherwise control the operation of any law passed by Congress to carry out the powers of the national government.

ACTIVITY 4

EVALUATION

Vocabulary:

1. review
2. constitution
3. Supreme
4. amendment
5. null and void
6. unconstitutional
7. law
8. declare
9. land
10. implied
11. interpret
12. John Marshall

Part I: Fill in the blanks with the correct word.

1. The Supreme Court has the right to _____ and _____ the Constitution.

2. The Supreme Court has the right to _____laws _____.

3. Judicial Review is an _____power established by _____ _____ in Marbury vs. Madison.

4. The U.S. Constitution is the _____ _____ of the _____.

Part II: Distinguishing between examples and non-examples.

Put an X on the line before the statements that are examples of Judicial Review.

_____ 1. The Supreme Court declares that prayer in school is unconstitutional.

_____ 2. Congress passes the Equal Rights Amendment.

_____ 3. The Supreme Court upholds the death penalty.

_____ 4. The Senate tries the President for treason.

_____ 5. The Supreme Court rules that a corporation has rights exactly like an individual person. (Dartmouth College vs Woodward)

ACTIVITY 5

POSTORGANIZER:

Written or oral responses to the following questions:

1. What is meant by judicial review?
2. In what famous case was this doctrine first established?
3. How does this doctrine help to add to or change the meaning of the Constitution?
4. Explain the significance of McCulloch vs. Maryland.

LESSON 6 p. 1
VICTORIA HATCH

BA History, American University, Washington, D.C., Master of Divinity , Virginia Theological Seminary. Ordained Episcopal priesthood in 1977. She teaches 8 th grade Social Studies, US History, English, Family Life at Susan B. Coombs in Banning. She enjoys travelling overseas and in the Eastern United States.

LESSON TITLE: **Convention Correspondence**

SUBJECT AREA/LEVEL: US History/Constitutional Government
Middle School/Jr. High.

LESSON TIME: 4 to 5 class sessions

PREREQUISITE:

Prior to this lesson, students will have studied the post-revolutionary period, weaknesses of the Articles of Confederation, Shay's Rebellion and the calling by Congress of the "Gathering" in Philadelphia, May 1787.

INSTRUCTIONAL OBJECTIVES:

1. Students will gain a greater appreciation of the political drama of the Constitutional Convention.

2. Students will be able to define/explain the terms Federalist, Anti-Federalist, Virginia Plan, New Jersey Plan, and Articles of Confederation.

3. Students will be able to name the leaders of the Federalists and the leaders of the Anti-Federalists.

4. Students will have exposure to a variety of letter styles/techniques of this historical period.

MATERIALS NEEDED:

Blank writing paper, envelopes, brown tea, felt tip pens and matches.

List of resources including texts, history and literature books, periodicals, documents, letters, biographies of the era and videos and films that are available.

PROCEDURE:

The stage will be set. The students are reminded that it is early summer late spring of 1787.

OPENING ACTIVITY:

Brainstorm a list of the various types of people, famous and not so famous, who would be writing and receiving letters at this time. For example: Political leaders, the rich, barmaids, shopkeepers, merchants, slaves, free blacks, foreign diplomats, farmers, doctors, lawyers, servants, etc.

1. Brainstorm the issues and attitudes which are prevelant during this period.
2. Brainstorm a list of topics which may be the subject of letters written at this time.
3. Place students in pre-selected cooperative learning groups (3 or 4 per group)
4. Choosing from the various lists, create 6 to 8 letters to and from the members of the Constitutional Convention and/or related residents of Philadelphia. Individual members of the groups can choose to create authentic looking letters by using the tea and burning technique (with teacher supervision and permission).

CLOSING ACTIVITY:

Letters will be collected for evaluation or reading aloud.

EVALUATION:

Evaluation will be by participation in class and in cooperative learning groups; as well as, the letters submitted for creativity, authenticity, grammar and spelling. Those who meet the objectives of the lesson, will have their letters displayed in the classroom.

LESSON 7 p.1

LARRY McFADDEN

Larry has taught English, US History and World History at the Middle School level for 5 years. He has also coached boy's and girl's sports. His hobbies are softball and camping.

LESSON TITLE: **Do It Yourself Constitution**

SUBJECT AREA/LEVEL: 8th grade U.S. History

LESSON TIME: One 45 minute class session and one-half to one hour of homework.

INSTRUCTIONAL OBJECTIVES:

1. To allow the students to create their own constitution, or set of laws, which they must live under
2. To aid in the understanding as to why good constitutional government is important

MATERIALS NEEDED:

1. Handout (Introduction to Constitutional government)
2. Pen or pencil
3. Map of island (optional)
4. Crayons and colored pencils to show geographical features of island (optional)

PROCEDURE:

The lesson is designed for 8th graders. Have some fun with it. If some students enjoy art, they can do a map of the island.

OPENING ACTIVITY:

Define the following terms (write them on the board or use a handout):

A. Constitution B . Executive C. legislative D. judicial

STEPS:

1. Hand out materials and explain definitions
2. Have students read teacher's proposed Constitution and go over it carefully with them.
3. Explain that some of the tongue in cheek proposals have some frightening parallels in real life.
4. Have them openly debate the proposals. If they see abuses of power, get them to think how they would change them.

CLOSING ACTIVITY:

Have students begin writing their own Constitution in class.
Make sure they set up an executive, legislative and judicial branch.

EVALUATION:

Read completed constitutions. Post some of the better ones on a bulletin board. Copy them and go over them with the class to discuss their perceived faults and merits. Bring out some of the problems the founding fathers wrestled with as they were discussing what the US Constitution would be like.

Introduction to Constitutional Government

You are on a yacht with 150 other people having a big party. A big storm comes up, and you are shipwrecked on a desert island. You are all going to have to live together until you are rescued. This could be months, years, or the rest of your life. We are going to need a constitution (a set of laws) to live by. The group has agreed that everyone will submit a constitution for all to consider. The constitution receiving the highest number of votes will be the one adopted. Mr. McFadden (teacher) is shipwrecked with you. He decides to write his own constitution. Everyone else may write and submit a constitution for the group to vote on. The constitution getting the most votes is the one the group will live by.

Read the preamble to (teacher) constitution. A preamble begins a document and states the reason something was written in the first place. Next, read (teacher's) constitution. Vote on the constitution below. Then write your own constitution. You may want to deal with such things as: (a) Who makes the laws (b) Who enforces the laws (c) who decides on punishments (d) what rights the people have (if any). (e) responsibilities of the people (f) who provides the financial support and how much.

YES! WE WANT (TEACHER'S) CONSTITUTION NOW	NO! (TEACHER'S) CONSTITUTION BENEFITS HIMSELF AND A FEW PEOPLE.

CONSTITUTION FOR MCFADDEN'S ISLAND - PROPOSED

A. PREAMBLE : This constitution is being written to insure that the people on McFadden's Island will survive, and have a happy and productive life. These laws will benefit everyone, and especially King McFadden.

B. EXECUTIVE BRANCH (PROVIDES LEADERSHIP AND LAW ENFORCEMENT)
Mc Fadden will be crowned (King for Life).

C. LEGISLATIVE BRANCH (MAKES LAWS)
McFadden and two people appointed by him will propose and pass all laws.

D. JUDICIAL BRANCH (INTERPRETS LAWS)
King McFadden will appoint three judges to rule on disputes (disagreements

BERNIE PROCH

Social studies teacher at West Covina High School. Teacher for 2l years. Spent five years in the Foreign Service of the US State Department. Degrees in American Government, Economics, Public Administration and American Studies. Honors: A Coe Fellow at New York State University, Russian Studies Fellow at Yale, Visiting Fellow at Princeton, Fulbright Scholar to Egypt and Israel. Special studies include Cambridge University, England and Fudan University in the People's Republic of China.

LESSON TITLE: Electoral College & the Constitution

SUBJECT AREA/LEVEL: Social Studies/ ll-l2th Grades

PREREQUISITE: Some knowledge of the operation of legislative process.

LESSON TIME: 3 days

INSTRUCTIONAL OBJECTIVES:

1. To understand some of the concerns that the Founding Fathers had as to the selection of the president.
2. To understand the role of the Electoral College in selecting the president.
3. To discuss some of the problems associated with the Electoral College system.
4. To encourage students to use primary source materials.

MATERIALS NEEDED: a) a copy of Federalist Paper #68
b) a copy of the U.S. Constitution

PROCEDURE: Opening: A short lecture by the teacher to acquaint the students with some of the basic differences between the Federalists and Anti-Federalists.

STEPS:

1) Have students read Federalist Paper #68 and write answers to the following questions:
   a) Why does Hamilton feel that the electoral college system for selecting a president will protect our

government from "foreign interference?"

b) How does Hamilton reply to the suggestion that the Vice-President should be elected from the Senate?

c) Why does Hamilton say that it would not be possible for anyone to become president who did not possess the "requisite qualifications"?

2) Class oral reading and discussion of Article II of the Constitution. Attention should focus on what the Constitution says about the procedure for selecting a president, and also what it says about the necessary qualifications for the presidency.

3) The following terms are to be given to the students and they are to define and write a sentence using each of them: elector, election, proportional, electorate, winner take all, popular vote.

4) Each student is given a mimeographed map of the United States. On this map they are to indicate the number of representatives and senators for each state.

When this task is completed, the teacher should proceed to explain the electoral vote count and how many votes are needed to win. Students should be directed to Amendment 23 to cover the allocation of electors for the District of Columbia.

5) By using a handout, overhead transparency or blackboard, the teacher should illustrate how it is possible under the present system to win the popular vote but still lose the election.

CLOSING ACTIVITY:

This should involve a class discussion of some of the advantages and disadvantages of the Electoral College system. Students may also be asked how this system might influence a candidate's campaign strategy.

EVALUATION:

The evaluation is to be based on a paper written by the students in which they should be encouraged to draw their own conclusions about the Electoral College system. Their answer should include whether they favor any alternative, and why.

NITA YOUNG

Nita teaches junior high school Social Studies in Corona, Ca. She has been involved at the local and county level of "History Day" and has been selected to attend the Taft Seminar.

LESSON TITLE: Ethics/Values: Do They Have a Place in Politics?

SUBJECT AREA/LEVEL: Junior High/Middle School

LENGTH OF TIME FOR THE LESSON: 2 - 3 DAYS

INSTRUCTIONAL OBJECTIVES:

1. Identify the Constitutional view of ethics/values
2. Discover the place of ethics/values in the *Federalist Papers*
3. Awareness of the problems of ethics/values in current politics
4. Demonstrate higher thinking skills through written group assignments
5. Define ethics/values
6. Differentiate between the philosophy of ethics in the U.S. and in other countries.

MATERIALS NEEDED:

1. Copy of the Constitution
2. Handouts I and 2
3. Reading assignment
4. Teacher readings
5. Overhead projector

PROCEDURE:

DAY 1

OPENING ACTIVITY: Choose two students and give one a torn and tattered hat and $100 in play money. Give the other a handle bar mustache and a black hat. Have them read over the skit, then present it.

Evil Ellery: "I've come to collect the rent."
Poor Ellen: "But, it's all the money I have."
Evil Ellery: "I've come to collect the rent."
Poor Ellen: "If I give it to you, I can't feed my babies."
Evil Ellery: "I've come to collect the rent." (He grabs the money and leaves).
Question: Was this legal? Was it ethical?

STEPS:

1. Define the word "ethics."
2. Put students in cooperative learning groups to answer the questions on the handout.
3. Analyze the group responses.
4. Using the overhead, show the political cartoon. What is the cartoonist trying to say? Is his view a true representation of the ethical standards of the U.S. Congress? Give examples or reasons.
5. Again using the overhead, show the names of individuals accused of wrongdoing. Example: Oliver North, Gary Hart, Jim Wright, Pentagon officials, Richard Nixon. Explain or have students research why these officials were or may be in trouble. Which of the values listed by the small groups was each accused of breaching? Is there ever just cause to do so?

DAY 2

1. Read and discuss Article II, Section 2 and Section 4, and Article I, Section 2 of the U.S. Constitution. How does the Constitution deal with cases of ethical or illegal problems?

2. Handout quotes and sections of the *Federalist Papers*. Read aloud and discuss that the Founding Fathers knew of the unethical nature of man.

3. Put students in cooperative learning groups.

4. Instruct students to draw up a code of ethics/values for the political profession.
5. Analyze the group responses and determine a class set.

DAY 3

I. Bring in resource person from local political scene to discuss ethics or values in his/her political arena.

CLOSING ACTIVITY:
Look back again at the list of political ethics/values that the student groups developed. Evaluate the local resource political person based on this list.

Handout #I

I. What values do we look for in our leaders?

2. If they don't have them, what can we do about it?

3. Are American values the same as those in Russia?

4. Do Americans really have values or do we just say we do?

Handout #2

Ethics: standards of conduct or moral judgement.

Federalist #5I: Madison

"If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: "You must first enable the government to control the governed; and in the next place, oblige to control itself."

Federalist #6 : Hamilton

"Are not popular assemblies frequently subject to the impulses of rage, resentment, jealousy, avarice, and of other irregular and violent propensities? Is it not well known that their determinations are often governed by a few individuals in whom they place confidence, and are, of course, liable to be tinctured by the passions and views of those individuals?...Is not the love of wealth as domineering and enterprising a passion as that of power or glory?"

zzz - z - z - z - z
DO NOT DISTURB
CODE OF ETHICS FOR CONGRESSMEN
SENATE COMMITTEE

JOHN FERGUSON

BA in Political Science from University of Arizona, Graduate work in Political Science at UC Berkeley, MA in Manpower Development from University of Redlands. John worked for the Employment Development Department of the State of California for 23 years. He just completed his first year as a social studies teacher at Bloomington Junior High School, Bloomington, CA.

LESSON TITLE: **First Amendment Rights**

SUBJECT AREA/LEVEL: US History, Grade 8

LESSON TIME: 46 minute period

INSTRUCTIONAL OBJECTIVES:

1. Students will analyze the First Amendment right of freedom of speech.
2. Students will discuss the limits on freedom of speech and why these limits exist.

MATERIALS NEEDED:

I. Worksheets (see attachments #I and #2)
2. Overhead projector

PREREQUISITE:

The class has spent several days studying the Constitution previous to this assignment.

PROCEDURE:

OPENING ACTIVITY:

Brainstorm with students for I0 minutes about their ideas of free speech. List these ideas on the overhead projector and also list the First Amendment.

STEPS:

1. Divide students ingo groups of 5 each.
   Pass out Attachment #I and instruct them to work cooperatively in coming up with answers to the 5 situations.

   Note: The 5 situations have been deliberately "localized" to get the students' involvement and participation.

   Allow I5 minutes for this activity.

2. Have students read their answers to you and by sharp questions get them to come up with answers approximating those in Attachment #2.

3. Gradually show the answers on Attachment #2 on an overhead projector.

4. Pass out copies of Attachment #I and have them copy down correct responses from Attachment #2 (shown on an overhead projector).

CLOSING ACTIVITY:

Spend remaining time responding to questions students have about the First Amendment. Teacher reminds students to retain completed worksheet in their social studies folder.

EVALUATION:

Teacher reminds students that First Amendment questions will be asked in the upcoming test on the Constitution.

ATTACHMENT #1

Decide whether the First Amendment applies to each case and whether the government may restrict the speech and why.

1. During the "Say No to Drugs" campaign the student newspaper plans to publish an article stating that a special poll shows most teachers smoke marijuana.

2. Mary Verbose, popular student and captain of the school's debating team talks back to her mother and is grounded for two weeks.

3. Tony Perez drives his truck with a loudspeaker through a residential neighborhood at 6:30 a.m. before people go to work telling about the poor treatment of illegal aliens in this country.

4. Jim and Larry each wear a KKK button to school to protest Black History Month.

5. Jane writes in her diary at home that all Vietnamese refugees in this country should be assassinated.

ATTACHMENT #2

Decide whether the First Amendment to free speech applies to each case and whether the government may restrict the speech and why.

1. During the "Say No to Drugs" campaign the student newspaper plans to publish an article stating that a special poll shows most teachers smoke marijuana.
   High school students do have a right of free speech which can be limited if school officials can show that the prohibited article would <u>substantially</u> interfere with school activities.

2. Mary Verbose, popular student and captain of the school's debating team talks back to her mother and is grounded for two weeks.
   The Bill of Rights prevents the government from denying free speech. Actions by a person's mother do not involve governmental action. Therefore, no free speech issue is involved.

3. Tony Perez drives his truck with a loudspeaker through a residential neighborhood at 6:30 a.m. before people go to work telling about the poor treatment of illegal aliens in this country.
   Tony Perez is engaging in protected speech. However, the government can impose reasonable time, place and manner restrictions. They could ban use of the loudspeaker at an early hour in a residential neighborhood and hold it in a downtown area at non-rush-hour times.

4. Jim and Larry each wear a KKK button to school to protest Black History Month.
   The button is symbolic speech entitled to First Amendment protection. However, if the wearing of a button substantially interfered with the educational process (fights break out, etc.), the button can be banned.

5. Jane writes in her diary at home that all Vietnamese refugees in this country should be assassinated.
   Jane's writings in her diary are protected expressions of thought and the government may not interfere. However, her speaking may be stopped if she puts hers thoughts into action.

BETTY CRAMER

BA University of Pacific, Credential
UC Berkeley, MA Claremont Grad. School
Government. Currently teaching World
History, American Government and
Economics at Chaffey High School, Ontario.
Taft Institute, Computer Technology
Institute, and NEH Grant in Economics.

LESSON TITLE: Computer Constitutional Convention

SUBJECT AREA/LEVEL: US History, American Government Grade II/I2

LESSON TIME: Five to eight class periods

PREREQUISITE: Knowledge of structure/function of state government
and American Colonial History

INSTRUCTIONAL OBJECTIVES:

1. Students will simulate the I787 Constitutional Convention as delegates to the convention and role play those delegates.
   a. Students will use reference sources to research a delegate's life and role in history.
   b. Students will add information to the delegate's biography file and to the delegate's data base file.
   c. Students will become familiar with delegate's goals and files and the state's files.
   d. Student delegations will create a delegate data base worksheet.
   f. Students will evaluate the Virginia Plan and the New Jersey Plan and the Connecticut Compromise and formulate a reaction to those plans as a delegation at appropriate times.
   g. Students will plan, prepare, and use printouts from files to get information about delegates' positions on Virginia Plan issues.
   h. Students will give speeches and debate the plans.
2. Students will describe the contents of the Virginia Plan, New Jersey Plan, the Connecticut Compromise, and the *Articles of Confederation.*
3. Students will describe the differences among the Virginia Plan, the New Jersey Plan, the Connecticut Compromise, and the *Articles of Confederation.*
4. Students will describe and sign the Constitution.

5. Students will operate Appleworks, using the word processor, data bases and a computer printer.

MATERIALS NEEDED:

1. "The US Constitution Then and Now" by Scholastic.
2. The Scholastic program disk copies for each computer being used in the computer lab, copies of the AppleWorks Startup Disk and master Program disk for the number of computers you plan to use. (To comply with US Copyright laws, you must own a legal copy of AppleWorks for each student station).
3. Blank formatted disks for each computer being used in the lab.
4. A computer lab, 2 disk drive computers if possible, printers with paper.
5. Access to the library for reference materials.
6. Copy of Appleworks instruction module (AIM) from "Scholastic Constitutional Convention" program.
7. A current AMERICAN GOVERNMENT textbook containing a copy of the *US Constitution* and a copy of the *Articles of Confederation.*
8. *LESSONS ON THE CONSTITUTION* II-4 P. 57-59 and II-5 P. 60-67.
9. Nametags for delegates

PROCEDURE:

DAY 1

STEP 1

Review basic ideas in the state constitutions: Natural rights and higher law, Social contract, Popular sovereignty, Representation, Legislative supremacy, Checks and Balances.

STEP 2

Review with the class some of the historical events leading to the Constitutional Convention. Put on the board or the overhead projector the names of some of the delegates and their background. You can find this information on the Scholastic Convention delegate disk. Discuss these delegates and their states' perspective on the idea of a different government from the one described in the Articles of Confederation. Lessons on the Constitution II-4 and II-5 will be useful to use. The use of those lessons may increase the total lesson time of this program by two class periods.

STEP 3
Introduce the idea of role-playing in the Constitutional Convention and the importance of the roles. Use a list of the delegates to let the students have a role choice. Assign the role of choice today and allow students to select a computer partner for the lab activity.

DAY 2

Take students to the library to research their delegate roles and goals. Students will need to put this information on the computer when they go to the computer lab tomorrow.

DAY 3

Take students to the computer lab and begin instruction on Appleworks. See Scholastic Convention Guide for AIM (Appleworks Instruction Module). Follow these basic steps:

1. Show students how to use the startup disk.
2. Show students how to use the AppleWorks disk selecting Menu choice 5 to format a blank disk to use as a "Delegation Data Disk" using a team name to identify the disk.
3. Tell students to press ESC until the Main Menu appears on the screen. Now they have a data disk to write information on.
4. It would be a good idea at this time to give students time to put in the delegate file and let them look up their own delegate and print a copy of that delegate's information. They can look over several delegate files and take time to become familiar with the use of the computer.
5. Students may enter their names in the Delegate's Data Base master file on the Convention Update disk, add information to their delegate biography files and print their revised biographies.

HOMEWORK: Students will need to look over and organize their notes to use in the computer lab on Day 4.

DAY 4

STEP 1
Teacher Preparation: Copy the Delegate's Data Base Report Worksheet for each student. (See Scholastic Guide)

1. Discuss method of preparing the Report Worksheet
2. Explain to students how to start, add information to, and save their own delegate diary files on their Delegation Data Disks.

STEP 2

1. At the end of this activity have the student delegations hand in the file they have created and their printed report for teacher evaluation as to the usefulness of the file they have created.
2. Have each delegation meet to set goals for the convention.

DAY 5

STEP I

Discuss with the class the methods of lobbying.
Give the students time to lobby and get prepared for voting which will follow Randolph's speech presenting the Virginia Plan.

STEP 2

Randolph presents the Virginia Plan. Students discuss/debate the Plan, lobby other delegates. Student delegations vote on the Virginia Plan.

STEP 3

William Patterson presents the New Jersey Plan to the Convention. Students discuss, debate, and lobby the New Jersey Plan. The delegations vote on the New Jersey Plan.

STEP 4

Have Roger Sherman give his speech on the Connecticut Compromise. Students discuss the Connecticut Compromise, debate and lobby the plan. Student Delegations vote on the Compromise.

DAY 6

EVALUATION:

Evaluation may take one of two different forms. First, involve all students in a discussion of the information and the process learned in the preceding days, reviewing with them the delegates, their ideas and votes, and the concepts taught in Day I Step I. This will give you and the students an idea of what parts of the lessons need more work before testing. Second, design a test that would involve the students' knowledge of the following: vocabulary, needs and fears of large states and small states, the process of compromise, and the importance of statesmen's experience and skill in lobbying and debating to eliminate polarization and protect the rights of all states in the process. See sample Exam.

SAMPLE EXAMINATION

1. Define and describe each of the following terms with an example of its use during the process of the Constitutional Convention or its use in the application of the Constitution's provisions. (What does it mean, how does it work).
   a. social contract
   b. legislative supremacy
   c. representation
   d. popular sovereignty
   e. checks and balances
   f. natural rights and higher law

2. Choose and name a small-state statesman and describe:
   a. his experience in government
   b. his role at the convention
   c. his delegation's goal at the convention
   d. who he lobbied and why he lobbied that particular person(s)
   e. one of his arguments in the debate for the small-state plan

3. Choose and name a large-state statesman and describe:
   a. his experience in government
   b. his role at the convention
   c. his delegation's goal at the convention
   d. who he lobbied and why he lobbied that particular person(s)
   e. one of his arguments in the debate for the large-state plan

4. Answer the following and name the state (Virginia or New Jersey) that proposed the plan that was selected.
   a. How many houses are there in the National legislature?
   b. How are members of the legislature chosen (as of 1787)?
   c. How long is the term of office?
   d. Is there a limit on the number of terms that one person can serve?
   e. How many members does each state have?
   f. Who may originate a law?
   g. How many states must agree to a law?

LESSON 12 p.1
MAUREEN JOHNSON

I teach 7th and 8th Grade Social Studies and English at Imogene Garner Hook Junior High School in Victorville.

LESSON TITLE: **Individual Freedoms: Article I, Sec. 9, and The Bill of Rights**

SUBJECT AREA/LEVEL: Social Studies, U.S. History, Civics

LESSON TIME: 2 PERIODS

INSTRUCTIONAL OBJECTIVES:

1. Students will be able to state and explain their basic rights that are guaranteed by the Constitution.

2. Students will apply their understanding of these rights to a hypothetical situation.

MATERIALS NEEDED: Constitution, markers or crayons, butcher paper

PROCEDURE:

OPENING ACTIVITY: Give students the story of Sybil Wrights. Read through the story. Elicit student reactions. "Raise your hand if you think Sybil was treated unfairly." "Do you think this could happen to somebody in this country?"

STEP 1: Have students turn papers over.
Unlike Lower Felonia, the United States of America has certain protections built into its Constitution. At first there were just a few mentioned. Find Article I, Section 9, in the US Constitution. (Give page number.) Explain Writ of Habeas Corpus and ex post facto -- that a person has to know what the charges are if he is being held and that a person can't be tried for

something he did before a law was passed making it illegal.

Actually, those who wrote the Constitition were not worried about listing the rights of the people. They thought these rights were obvious and that in a democracy where the people could vote, these rights would naturally be protected. Besides, most of the states already had these protections built into their own individual constitutions.

Some of those who opposed the Constitution did so because they wanted these rights put in. They agreed to ratify the Constitution if the rights were added later as amendments. That is what happened. Soon after the Constitution took effect, these rights were added to the Constitution. They are called the Bill of Rights. (A bill means a written document.)

Read the first amendments. Go over each of the rights. A device to help with recall of these is RAPPS (Religion, Assembly, Petition, Press, and Speech). Include a reading and discussion of the second amendment, as well.

STEP 2:
Divide the class into six teams. Give each team a large sheet of paper and a few markers. Tell them to design a poster using words, symbols, or pictures to represent one of the freedoms in the first two amendments. Circulate to help with ideas and to keep students involved.

Have one or more students in each group give a brief explanation of the picture to the class.

Continue in this way until all the rights (up to Amendment IX) are covered. Remember that V and VI have several aspects that can be divided up among the teams. Display the student posters.

STEP 3:
Explain that there was a problem with listing the rights in the Constitution. One of the reasons that James Madison had not wanted to list them was that there are many. If you list some of them, won't someone be able to say, "Sorry, if it's not here, you don't have it"? Where are the right to privacy, the right to move to another town, the right to choose your own job, the right to have children, and lots of other rights?

Read Amendments IX and X. Have students illustrate what they infer some of these unenumerated rights to be.

STEP 4:
Look at "No Rights for Wrights" again. What is one thing that happened to Sybil that could not have happened under the Constitution? Now find the part of the Constitution that would have prevented this abuse of Sybil's rights. In your groups, find as many of these as possible. Make two columns on your own paper. On one side list each "unconstitutional" thing that happened to Sybil. Next to it on the other column write the words from the Constitution that would have protected her freedom.

CLOSING ACTIVITY:
Discuss the answer that students have for the words from the Constitution that protect the freedoms that were abused in the case of Sybil Wrights.

EVALUATION:
Student lists might be graded or the quality of the group activity evaluated. Each student should have participated but not dominated the discussions.

EXTENSION ACTIVITY:
Give students, in groups and/or individually, actual situations from newspaper articles or Supreme Court cases that illustrate how rights are protected.

No Rights for Wrights

Sybil Wrights, a teacher in the country of Lower Felonia, wrote a letter to her local newspaper. She protested the way that teachers were paid and asked for a change. A few days after her letter appeared in the paper, Sybil was awakened in the night by the sound of an axe crashing into her apartment door. It was the National Police. The police abruptly entered Sybil's apartment.

After thoroughly ransacking the apartment, the police found a copy of a teachers' journal, *Teaching is Fun*, and Sybil's Swiss army knife. The police arrested Sybil. They led her, in leg irons, to a secret detention center. Here they questioned her for ten hours until she signed a confession.

Three months later, the possession of certain underground publications was made a felony. Sybil was then charged with possession of the illegal *Teaching is Fun* .

Somewhat later, the police moved Sybil to an isolated region of Lower Felonia. In this area, far from home, she was tried for possession of a weapon, conspiracy to overthrow the government, and corrupting the youth of her town. Although the journal and army knife were used as evidence against her, Sybil was acquitted or found not guilty. Sybil was released but arrested again the following morning. She was tried again for the same crimes. This time her signed confession was used as evidence of her guilt. She did not have a lawyer because she could not afford one, nor was she able to obtain witnesses to speak in her defense. This time she was found guilty.

Sybil was sentenced to thirty years of hard labor. She spent much of her time in jail (when she wasn't making gravel or languishing in her tiny cell with the other nineteen occupants) writing to judges, such as appeals judge, Ray Mentiss. These letters, of course, never went farther than the warden Ms. Dee Meaner.

In fact, if it were not for Sybil's daring escape to the United States in July of 198-, we would know nothing of her experiences.

Epilogue

Sybil resides in Southern California. She is quite wealthy from the sale of her book *Not Civil to Sybil.* She teaches junior high English for the fun of

PEG HILL

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LESSON TITLE: Compromise and the Constitution

SUBJECT AREA/LEVEL: Grades 8-12, U.S. History or Government

LESSON TIME: 2 class periods

INSTRUCTIONAL OBJECTIVES:

1. Students will determine the similarities and differences among the New Jersey Plan, the Virginia Plan and the Constitution by creating a diagram.
2. Students will identify the perspectives of the large states and of the small states during the early national period.
3. Students will define and simulate the compromise process utilized during the Constitutional Convention.

MATERIALS NEEDED:

1. Copies of the Articles of Confederation, New Jersey Plan (summary included), the Virginia Plan (summary included) and the U.S. Constitution.
2. U.S. history or government text that indicates the problems that existed with the Articles of Confederation.

PROCEDURE:

OPENING ACTIVITY:

Put the following three combinations of words on the overhead projector or chalkboard:

WIN - LOSE
LOSE - LOSE
WIN - WIN

On a piece of paper have the students determine which of these combinations of words best describes what a "compromise" is. Have them give an example from their own experience. Tally the responses of the students and give a definition of "compromise." Discuss with the class the concept that much of human negotiation rests on people's perception that they have won or lost and that this determines their willingness to compromise. Give an example from a recent classroom experience or something in the news.

STEPS:

1. Introduce the idea of "Jigsaw" or a shared responsibility lesson. Each student is responsible for teaching all of his group the contents of their government plan. They are then to work together to put down the essential characteristics of each on the Venn diagram and decide in what ways they are similar and different. Lastly they will determine if the Constitution represents a compromise.

2. Divide the class into heterogeneous groups of six students each.

3. Hand out the summaries or copies of the original documents of the Virginia Plan and the New Jersey Plan and the Constitution. The New Jersey Plan students will also need a copy of the Articles of Confederation for reference. Have students select which two students will become the experts on each of these plans for government.

4. Have all of the "New Jersey Plan" students form two "expert" groups. Each small group student should attend different "expert" group. The "experts" should read and discuss the plan and pick out the most important points of it to list on paper. They should decide what advantages this plan would have for a small state.

5. Have the "Virginia Plan" students do the above step also except they should determine what advantage the Virginia Plan would have for a large state.

6. One of the "expert" groups for the Constitution students should develop a list of the powers and terms and selection process for the Congress. The other should do the same for the executive and the judiciary.

7. Students should reconvene in their original groups of four. Each pair of students who developed the list of main points for either the New Jersey, Virginia Plan or the Constitution should confer and compile their lists. It is their job to teach the rest of the committee about their document.
8. Students need to complete the Venn Diagram by putting the answers to the following questions in the part of the circle which matches the question number.

    1. What are the unique characteristics of the Constitution?

    2. What are the unique characteristics of the New Jersey Plan?

    3. What are the unique characteristics of the Virginia Plan?

    4. How are the New Jersey Plan and the Virginia Plan alike?

    5. How are the New Jersey Plan and the Constutution alike?

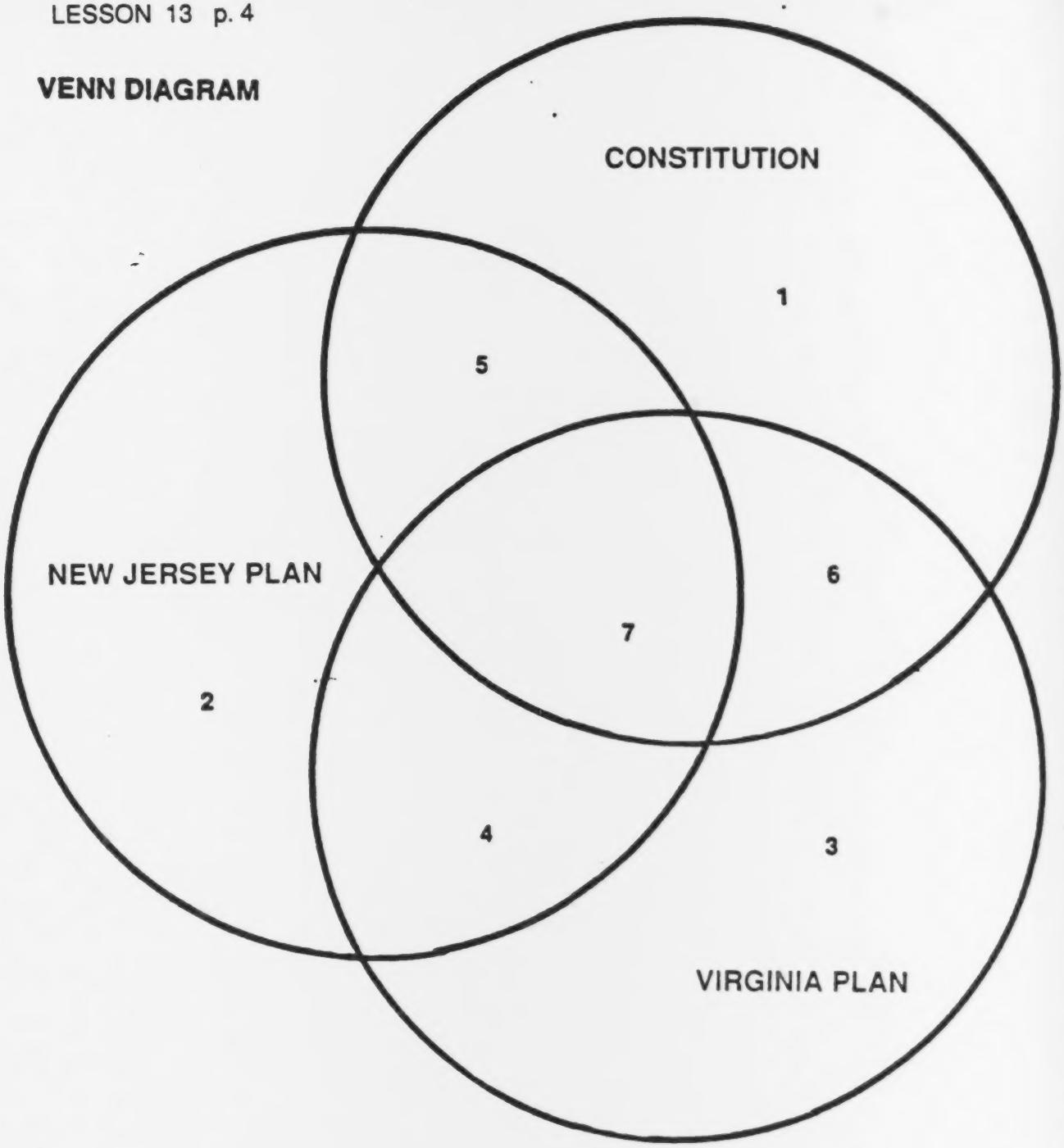
    6. How are the Virginia Plan and the Constitution alike?

    7. How are the three alike?

CLOSING ACTIVITY:
Have each group decide if the Constitution is a true compromise according to their original definition made at the beginning of the class period. Why would the supporters of a plan be willing to give up belief in their idea of government in order to follow the Constitution? Discuss these reasons with the whole class.

EVALUATION:
The Venn Diagrams can be evaluated for completeness and quality. They can be posted on the bulletin board if students came up with varying correct answers. Participation grades for discussion could also be given.

VENN DIAGRAM



Put the responses to the questions you answered inthe appropriate place on the diagram. The number of your question should match the number on the diagram.

VIRGINIA PLAN
(LARGE STATE)
SUMMARY

1. The Articles of Confederation should be completely revised to create a strong national government which can better provide for "the common defense, security of liberty, and the general welfare."
2. The national legislature ought to consist of two branches:
   a. The first branch ought to elected by the people. Members of it should be paid, not serve more than one office at a time, be subject to recall and not eligible for immediate reelection.
   b. The second branch ought to be selected by the first from a list of nominations by the state legislatures. It should have the same rules of membership as the first legislature.
   c. Either branch of the legislature should be able to start discussion of a new law.
   d. The legislature should have the power to legislate in all cases where the harmony of the U.S. would be endangered by acts of the individual state legislatures or where it would be difficult for them to act together. It should be able to negate all laws of the states that go against the national interest. It should be able to send an army to put down an individual state that refuses to cooperate.
3. The executive should be chosen by the legislature. He should be paid and not be eligible for reelection.
4. The executive and some members of the judiciary should act as a Council of Revision to review all pieces of legislation and exercise veto if they don't think the law is good.
5. The legislature should choose a national judiciary made up of a supreme and lower courts to hear felony cases, piracies, tax cases, cases of foreigners suing Americans or impeachment cases and cases involving the needs of the whole nation. Justices should serve for life and be paid.
6. Provision ought to be made for admitting new states which won't require a unanimous vote.
7. Each state should be guaranteed its boundaries and its republican government.
8. Provision should be made for amending the Constituion that won't require a vote of the national legislature.
9. States should be bound by oath to support the national government.
10. Ratifying conventions from each state should approve the new Constitution.

NEW JERSEY PLAN
(SMALL STATE)
SUMMARY

1. The Articles of Confederation ought to be revised to protect the union and make governing more workable.
2. Congress should be the same as in the Articles of Confederation except that, in addition to the powers given Congress by the Articles, it should be able to levy taxes and import duties, issue postage stamps. They should be able to regulate international trade. State courts would have the right to rule in cases involving parties that break these regulations but there should be a U.S. court of appeals.
3. The Congress should be allowed to tax according to population based on the number of free persons or indentured servants, and three-fifths of the slave population. Indians do not count for tax purposes. Congress can make laws to force the states to pay their just taxes. There should be a set proportion of votes necessary to carry out the powers of Congress.
4. Congress should elect an executive. He should be paid, hold no other offices at the same time, nor be ineligible for reelection. Congress should remove this executive if a majority of the state governors ask for his recall. State governors should be responsible for executing federal laws and appointing federal officials and running military operations.
5. A federal judiciary should be established. Judges will be appointed by the executive. Judges should serve for life, be paid but be ineligible to hold any other office.
   Federal judges will hear impeachment cases for federal officials, appeal of cases involving ambassadors, cases of enemy captures or piracies, cases involving foreigners, treaties or trade, and federal tax cases.
6. Acts of Congress shall be supreme to state laws. The federal executive can force the states to uphold the national law.
7. Provision should be made for the admission of new states.
8. The rule for naturalizing citizens should be the same for each state.
9. Citizens who commit crimes in another state are deemed guilty in their state also.

MAUREEN JOHNSON

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LESSON TITLE: **Mr. Truman and the Federalists**

SUBJECT AREA/LEVEL: Social Studies/U.S. History/Civics
President Truman applies the Federalist standard for an effective executive to the Presidents

LESSON TIME: One period

INSTRUCTIONAL OBJECTIVES:

1. Students will recognize the Federalist concept of an "energetic" executive and the Anti-Federalist opposition to it.
2. Students will identify Truman's standards for judging Presidents.
3. Students will apply the Federalist standard to a U.S. President.

MATERIALS:

Parade magazine, April 3, 1988
textbook
reference materials

PREREQUISITES:

Students are already familiar with the Federalist and Anti-Federalist issues and arguments.

PROCEDURE:

OPENING ACTIVITY:

Question to students: Raise your hand if you think President Reagan is a good President?

In teams, brainstorm the qualities of a good president. Share these with

the class.

STEP 1:
Read and discuss the following Federalist and Anti-Federalist arguments with the class.

The Federalists believed that one of the problems with the Articles of Confederation was that it lacked power. Not only, as we have seen, did the legislature lack the power to make laws, but there was no president or executive branch to carry out the laws. The new Constitution provided for an executive.

This is what Federalist #70 says about the presidency:

> There is an idea which is not without its advocates that a vigorous executive is inconsistent with the genius of republican government. The enlightened well-wishers to this species of government must at least hope that the supposition is destitute of foundation; since they can never admit its truth with at the same time admitting the condemnation of their own principles. Energy in the executive is a leading character in the definition of good government. It is essential to the protection of the community against foreign attacks; it is not less essential to the steady administration of the laws; to the protection of property against those irregular and high-handed combinations which sometimes interrupt the ordinary course of justice; to the security of liberty against the enterprises and assaults of ambition, of faction, and of anarchy.

and

> A feeble government implies a feeble execution of the government. A feeble execution is but another phrase for a bad execution; and a government ill executed, whatever it may be in theory, must be, in practice a bad government.

and

> ... all men of sense will agree in the necessity of an energetic executive ...

According to the Federalist point of view, a good executive is a strong or energetic one. A bad executive is a weak or feeble one.

The Anti-federalists, on the other hand, objected to the Federalist notion of the president. Cato writes: "... the great powers of the President, connected with his duration in office would lead to oppression and ruin."
and

> ... the president cannot represent you because he is not of your own immediate choice, that if you adopt this government, you will incline to an arbitrary and odious aristocracy or monarchy, that the president possessed of the power given him by this frame of government differs but very immaterially from the establishment of monarchy in Great Britain ...

While the Anti-Federalists feared power in the national government, the Federalists viewed a vigorous president as an important check on the House as well as a driving force for getting things done.

STEP 2:
Read the following critiques of presidents by former President Truman. Put the ones he felt were "best" presidents in one pile and the "worst" presidents in another. How many of the good ones were strong, decisive, energetic presidents? Conversely, how many of the bad ones, in Truman's opinion, were weak, indecisive, and feeble?

STEP 3:
Research one president. Find out what kind of leadership this president provided. In your opinion was he "energetic"? Give specific examples of opportunities that he seized to lead the nation. Or, if he seemed weak to you, give examples to show how he let the country run itself and avoided a leadership role.

CLOSING ACTIVITY:
Evaluate these presidents and the one you researched based on the Federalist and Anti-Federalist points of view. Which of Truman's choices of strong presidents would have be chosen by the Federalists? Which would have been chosen by the Anti-Federalists? Why? With which point of view do you agree? Why?

EVALUATION:
Student reports can be graded for completeness of research and quality of examples. Student evaluations of the presidents can be graded for comprehension of the differences between the Federalist and Anti-Federalist perspectives.

RICHARD LEE

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LESSON TITLE: Name and Identify That Amendment

SUBJECT AREA/LEVEL:
Eighth Grade US History/Constitution; All levels: Basic, Regular and Honors.

LESSON TIME:
The lesson could range from 2 to 4 days depending upon the depth and sequence of the presentation.

INSTRUCTIONAL OBJECTIVES:
1. Students, using the 26 Amendments in the Constitution, will be able to identify and understand in scope the meaning and application of the Amendments.
2. Students will be able to list the Amendments by their definitions.
3. Students, by role-playing and dramatization, will be able to demonstrate understanding of the scope of the Amendments.
4. Students will be able to use their interpretation skills to convey their understanding of the Amendments.

MATERIALS NEEDED:
Although a media stage is beneficial to the presentation, it is not necessary to present the dramatization. An ordinary class setting would be fine. A copy of the Constitution is appropriate. Props and costumes are usually furnished by the students. In some cases a cooperative action with the Drama department will assist in props and costumes. I have, with the cooperation of the Drama department, been able to have the Drama coach

assist the students with their presentations.

PROCEDURE:
It has been said that a picture is worth a thousand words. The students by presenting their interpretation of the scope and meaning of the Amendments of the Constitution will be able to do just that.

DAY 1
The student class will be divided into groups of four to six students for each group. I usually allow each person to select a mate and then I match the pairs together to collect the groups. In this way the students have some voice in the selection of the groups but the teacher can balance the groups with different ability and personality levels.

Each group will meet and will select 2 or 3 of the amendments. The teacher will also select I or 2 more of the amendments for a total of 3 to 5 amendments for each group. In this way there will be some limitation on duplicating the same amendments. Students will submit their selections to the instructor and will receive the teacher selections.
Each group will continue to meet and discuss the method of presentation for each amendment. The presentations or dramatizations could range from simple pantomimes to elaborate role-playing skits. Students usually will have only the one formal meeting but will meet during the week in order to gather ideas and practice their presentations.

DAY 2
Students will meet outside of class time to discuss and to practice their presentations.

DAY 3
Usually one week from the initial meeting the students will begin their presentations. Each group will make only one presentation at a time and in a rotated system each group will follow with one presentation. The groups that are not presenting will work as a group and will attempt to identify the amendment from the presentation.

Note: Each presentation may simply identify the amendment or for higher levels each group will not only identify the amendment and its scope but identify the violation of such amendment. For example: In the l8th amendment the consumption of alcohol is a violation of the amendment as is the production and sale of alcohol. With teacher direction the scope or level of the presentation may change with the level of class.

DAY 4

Same as day three; continuation of presentations. If one has a class of 32 students with approximately 6 groups of presenters, it usually takes 2 days to complete all presentations.

EVALUATION:

Each group in the audience will score the presentation by points awarded for presentation in itself, creativeness, and delivery of presentation. Each group in the audience will score points on its ability to identify :

a. the amendment meaning or concept
b. the violation in specific terms of the amendments. (Was it a complete amendment or a specific section of an amendment?)

Grades are given both for their presentations and for students being able to identify the selected amendments. Points of scoring will be given to accuracy, creativeness, and presentation.

QUESTIONS FOR DISCUSSION:

1. Was the presentation clear and relevant to the amendment given in the presentation?

2. Was the presentation given simply a definition of the amendment or did it show a violation of a specific section of the amendment?

3. Was contrary evidence provided in the group's presentation? If so, was it clearly stated?

4. Was there sufficient evidence in the group's presentation to be able to identify the scope and meaning of the amendment?

(OPINION)

I feel that having students actively demonstrating by role-playing and dramatization the scope and meaning of the amendments of the Constitution, they will have a deeper and fuller understanding of what the amendments are all about.

PHILLIP G. WHEELER

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Graduate Studies, Cal Poly Pomona 1974-75

LESSON TITLE: Natural Law and the Framers of the Constitution

SUBJECT AREA/LEVEL: American Government Grades 11-12

LESSON TIME: One-two Class Periods

INSTRUCTIONAL OBJECTIVES:

1. Students will find sections or words in the Constitution which make a reference to natural law.
2. Students will find sections or words in the Bill of Rights which make reference to natural law.
3. Students will find sections of the *Federalist Papers* that refer to natural law.
4. Students will identify the principles of natural law that are common to both the Constitution and the Declaration of Independence.

MATERIALS NEEDED:

1. Five (or more) copies of the Constitution.
2. Two (or more) copies of the Bill of Rights.
3. One (or more) copy of the *Federalist Papers*.

PROCEDURES:

OPENING ACTIVITY:

Build on previous learning by briefly reviewing concepts of natural law through the inquiry method.

STEP 1

Place the students into eight groups of three to four students. (One group, the one which will use the *Federalist Papers* should be hand picked).

Make the following assignments:
Group I: The Preamble, and the first five sections of Article I.
Group 2: The Fifth through eighth sections of Article I.
Group 3: The ninth and tenth sections of Article I.
Group 4. Article II
Group 5. Article III.
Group 6: Amendments one through five.
Group 7: Amendments six through ten.
Group 8: The references to Natural law and the *Federalist Papers* listed in the Index (Nature, law of)

Assign each group the task of finding references to natural law or implications of natural law.

STEP 2

Have each group report on their findings. Point out additional passages they might have missed.

CLOSING ACTIVITY:

Discuss the following:

A. Which assigned areas contained the strongest reference to natural law?
B. Assuming that the Anti-Federalists were instrumental in including a Bill of Rights, were the Federalists or Anti-Federalists most interested in the natural law theme, or were they equally interested?
C. Is natural law a central theme of the Constitution,a minor theme, or a non-entity?
D. Is the Constitution a fulfillment or betrayal of the principles of the Declaration, or does the Constitution ignore the Declaration?

EVALUATION:

The evaluation of this activity is based upon the ability of the students to make their initial investigation, to express their findings, and to discuss the issues. It is essential that this issue also be addressed on the unit examination to follow.

Note:

In adapting this activity to the remedial student, it would be desirable to either rework the wording of the Constitution, or to have the students work only on selected passages.

LESSON 17 p.1

PHILLIP G. WHEELER

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LESSON TITLE: Natural Law & Inalienable Rights

SUBJECT AREA/LEVEL: American Government, grades 11 & 12

LESSON TIME: One Class Period

INSTRUCTIONAL OBJECTIVES:
The students will show understanding of the following concepts and terms in discussion and writing:

A. Self-evident Truths
B. Equal Status of Man
C. Natural Law
D. Inalienable Rights (which are not limited to those that are enumerated).
E. The Nature and Purpose of Government According to the Declaration.

MATERIALS NEEDED:
Overhead projections of the

1. Statement by Cicero
2. Statement from the Declaration of Independence

PROCEDURE:

OPENING ACTIVITY:
Students should read the statement by Cicero and the excerpt from the Declaration. Have students analyze and jot down major ideas.

STEP 1
Discuss the meaning of each passage and determine similarities and differences in the selections. Define each of the terms used to make various points (i.e. inalienable, self-evident, etc.).

STEP 2
Discuss the exclusion of certain groups from the meaning of the Declaration (e.g. women, slaves, etc. Mention the 1856 decision of the Taney Court [Scott vs. Sanford], and the exclusion of women until the 19th Amendment. Yick Wo could also be included).

CLOSING ACTIVITY:
Have each student write a brief essay discussing:
A. the idea of natural law
B. their feelings about the existence of natural law
C. the statement that natural law was beyond the power and authority of men (rulers), on the one hand, and the exclusion of certain groups on the other hand.

EVALUATION:
Examine the written statements that the students have prepared. Evaluate their understanding based upon what they have written. If necessary follow up in class the following day.

READINGS:
True law is right reason in agreement with nature; it is of universal application unchanging and everlasting; it summons to duty by its commands, and averts from wrongdoing by its prohibitions... It is a sin to try to alter this law, nor is it allowable to repeal any part of it, and it is impossible to abolish it entirely. We cannot be freed from its obligations by senate or people, and we need not look outside ourselves for an expounder or interpreter of it. And there will not be different laws at Rome and at Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all nations and all times, and there will be one master and ruler, that is God, over us all, for he is the author of this law, its promulgator, and its enforcing judge. Whoever is disobedient is fleeing from himself and denying his human nature, and by reason of this very fact he will suffer the worst punishment.

-Cicero-

(Quoted in Ebenstein, Great Political Thinkers, p. 133.)

We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of

government becomes destructive of these ends, it is the right of the people to alter or to abolish it and to institute new government...

-Jefferson-

(From the Declaration of Independence)

SUPPLEMENTAL READINGS:

SOME RIGHTS THAT CAN BE CONSIDERED INALIENABLE

(Adapted from the 5,000-Year Leap, Skousen, pgs. 125-126,"The Right of Self Government")

The right to own, develop and dispose of property.
The right to make personal choices.
The right of free conscience.
The right to choose a profession.
The right to choose a mate.
The right to beget one's kind.
The right to assemble.
The right to petition.
The right to free speech.
The right to a free press.The right to enjoy the fruits of one's labors.
The right to improve one's position through barter and sale.
The right to contrive and invent.
The right to explore the natural resources of the earth.
The right to privacy.
The right to provide personal security.
The right to provide nature's necessities -- air, food, water, clothing, and shelter.
The right to a fair trial.
The right of free association.
The right to contract.
The right to move freely from place to place.

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The legislative... is not, nor can possibly be, absolutely arbitrary over the lives and fortune of the people. For it being but the joint power of every member of the society given up to that person or assembly which is legislator, it can be no more than those persons had in a state of Nature before they entered into society, and gave it up to the community. For nobody can transfer to another more power than he has in himself, and nobody has an absolute arbitrary power over himself, or over any other, to destroy his own life, or take away the life or property of another.

-Locke-

("Second Essay Concerning Civil Government")

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Man, considered as a creature, must necessarily be subject to the laws of his Creator, for he is entirely a dependent being...And, consequently, as man depends absolutely upon his Maker for everything, it is necessary that he should in all points conform to his Maker's will.

This will of his Maker is called the law of Nature. For as God, when he created matter, and endued it with a principle of mobility, established certain rules for the perpetual direction of that motion; so, when he created man, and endued him with free-will to conduct himself in all parts of life, he laid down certain immutable laws of human nature... These are the eternal, immutable laws of good and evil...

This law of nature being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe, in all countries, and at all times: no human laws are of any validity if contrary to this; and such of them as are valid derive all their force and all of their authority, mediately or immediately, from this original.

-Blackstone-

(Commentaries on the Laws of England.)

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The law... has acted in direct opposition to its own purpose. The law has been used to destroy its own objectives: It has been applied to annihilating the justice that it was supposed to maintain; to limiting and destroying rights which its real purpose was to respect.

-Bastiat-

(The Law.)

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Those rights, then, which God and nature have established, and are therefore called natural rights, such as are life and liberty, need not the aid of human laws to be more effectually invested in every man than they are; neither do they receive any additional strength when declared by the municipal laws to be inviolate. On the contrary, no human legislature has power to abridge or destroy them, unless the owner shall himself commit some act that amounts to a forfeiture.

-Blackstone-

(Commentaries on the Laws of England.)

LESSON 18 p. 1
GLORIA FOX FOSTER

BA University of Illinois in History and Political Science; MA in Public Policy Claremont Graduate School; Teaching Credential I987 from UC Irvine. Gloria is currently teaching US History and Psychology at Upland High School.

LESSON TITLE: **Need for Government**

SUBJECT AREA: US History, possibly US Government.This was designed as a lesson to introduce the problems of the Articles of Confederation, but can also be used for the Constitutional Convention.

LESSON TIME: One class period in History, but it could be expanded for Government.

INSTRUCTIONAL OBJECTIVES:
1. The students to personalize the need for government.
2. The students will identify the difference between private and community needs.

MATERIALS NEEDED:
Standard classroom materials, chalkboard, overhead.

PROCEDURE:

OPENING ACTIVITY:
Ask each student to make a list of some of the tasks that government performs. (I usually do not specify local, state or national -- I like to see which level they think of the most and use that in class discussion).

Ask students the following questions about the items on their list:

I. Are there items on your list that you think government should <u>not</u> be

doing, i.e. would these items be done better in the private sector?
2. Are there items that are not on your list, that you feel that government should be doing?

STEP 1
Gather from your class (by volunteers or by teacher choice) a list of responses to your opening activity. You may write the responses on the chalkboard, an overhead, an easel, or appoint a student to record responses. Make comments as necessary or expand upon student responses to explain or to clarify.

STEP 2
Ask for responses to the second and third part of the opening activity. Generate a small discussion based upon whether your students think we have too much or too little government.

Hopefully the list in step one should include items such as providing for the common defense, making treaties, coining or controlling money, etc. on the national level, and you may generate police, fire, education on the local level.

Should major points be missed, the teacher should add them, as in "What about ..., is that necessary?"

STEP 3
From this point move the class to a discussion of how much government is too much government and how much is too little. Bring the class back in history to an understanding of the issues of 1776, 1777, 1781, and/or 1787. Explain the fear of governmental tyranny and the decisions reached to create a very weak central government. Include the strong state or colony associations that were much stronger than any association as an "American."

At this point I personalized the issue to help my students imagine themselves creating a government and deciding how much control or power to give it. I drew an analogy with teenage rebellion and their own private wars of independence with their parents.

Teacher asks: "How many of you ever received or know of someone who received a deficiency notice? Can you conceive of a student who, upon receiving one, asks their parents to take away the car, stereo, and television and lock them in their room for four hours a night to do

homework and study? Now this might be necessary, but I can't imagine anyone deliberately asking for that much control or government. Yet you cannot do without government and you need to give it some power. You, as students, cannot yet do without your parents, at least I don't think so. However within a few years you can be more fully independent of your parents than we can ever become of government. We agreed that we need government to fulfill these functions.....(fill in list)."

(I role play much more here, because it gets a laugh and keeps their attention. I play out their battles for independence and the concessions they still make to parental control, for example: "Where are you going, When are you coming back, Who are you going with?" because they still need their parents to provide food, clothing and shelter and maybe a car or car insurance.)

DISCUSSION QUESTIONS:
How do we determine where the line is between too much control (totalitarian government) and too much freedom (anarchy)?

1. How did they make that decision in 1777 (when the Articles of Confederation were drafted)?

2. Why did they decide that they needed more government by 1787?

3. What obstacles were still in their way?

4. How did this convince others that more government was needed? (Federalists' and Anti-Federalists' arguments can be inserted here or saved for the next day's lesson; I used this as my introduction to issues of Constitutional Convention, so I saved them for later).

STEP 4 (This step is optional, use only if issues raised in class merit its inclusion -- it can muddy the waters).

Depending upon how much the earlier class discussion included local government functions, you may add to this lesson a discussion of community needs requiring a societal response to some problems. I used the example of police to express this:

(EXAMPLE)
I asked students to imagine what would happen if providing police protection was not a function of government, but was handled by private firms exclusively. It could happen that 3 houses on a particular block were protected by the ABC protection service and others were protected by the XYZ protection agency. If a guard from ABC saw an XYZ house being burglarized, he could just ignore it hoping to gain more clients from those who had been burglarized while being "protected" by the other agency.

Since we need police as a societal good, we've decided that the government handles this job the most efficiently and equitably for all concerned.

CLOSING ACTIVITY: (for homework)
Considering our classroom discussion, please write a short paragraph on the Articles of Confederation pretending that it is the Spring of 1787 and you are analyzing whether the Articles of Confederation provide a sufficiently strong, too strong or too weak form of government for this nation. You may choose the state in which you live and your political background if you feel it will help you take an historical perspective.

EVALUATION:
Check for understanding from homework and further discussions on Federalist and Anti-Federalist positions to see if students understand the delicate balance between too much and too little government.

LESSON 19 P. 1
Ruth Floyd Johnson

BA in History at Bowie State College Md., MA in Counseling and Personnel Services at U. of Md., College Park, PhD in Human Services Administration, U. for Humanistic Studies, San Diego. Her civic contributions have brought numerous awards. She is world traveller, author and co-author. Ruth teaches social studies at Rialto Junior High, Rialto, CA. Her 18 years experience as an educator include master teacher, counselor, administrator, university instructor, researcher, and staff development facilitator.

LESSON TITLE: Of and About People in Congress (A Research Project)

SUBJECT AREA/LEVEL: U.S. HISTORY / CIVICS / GOVERNMENT

GRADE LEVEL: WITH SOME MODIFICATION - SECONDARY 8 - 12

TEACHING TIME: Three to four weeks total time. Eight days/eight 50-minute class sessions. The remainder of the work is outside independent work/homework).

INSTRUCTIONAL OBJECTIVES: Participation in this unit will:

A. Help students gain an appreciation of the research process.
   Help students better understand the value of the use of primary and secondary sources.
   Help students gain an appreciation for the concept of public service and the responsibilities of public servants.

B. Help students develop critical thinking skills at every level.
   For example, students will be able to:
   1. Identify political parties (knowledge).
   2. Describe the area and constituents served by a particular official (comprehension).
   3. Choose a Congressperson for a research paper and use primary and secondary sources to gather information (application).
   4. Develop opinions regarding a Congressperson's political actions (analysis).
   5. Organize information gathered for presentation in written form (synthesis).
   6. Assess the value of a person's public service (evaluate).

MATERIALS NEEDED: Copies of the Constitution for each student, a list of Congresspersons (representatives and Senators), dictionaries, chalkboard/overhead projector, 5 x 8 research note cards.

RESOURCES NEEDED: Library (school and community)
Almanac of American Politics, Congressional Directory, Congressional Record, Congressional Quarterly Weekly Report, Federal Regulatory Directory, Statesmen Yearbook, Washington Information Directory, Specific Biographies and Autobiographies,Magazines, Newspapers, Reader's Guide to Periodicals, Personal Interview (in person, telephone, letter). TV reports may also be included.

PROCEDURE:
DAY 1

A. Teacher should give an overview of research assignment (be sure to discuss and explain what research means and what research requires -- more than just an encyclopedia activity).

B. Develop vocabulary. Discuss definitions of the following terms: research, plagiarism, footnotes, bibliography, note cards, primary source, secondary source, candidate, vote, elect, political party, Congress, bill, law, Representative, Senator.

C. Make list available of Congresspersons (Senators and Representatives).

D. Have students begin thinking about person to research.

Day 2
Class Discussion of research assignment

1. Teacher should explain and demonstrate on chalkboard the proper way to make a footnote entry.
2. Teacher should explain and demonstrate on chalkboard the proper way to make a bibliography entry.
3. Teacher should explain the use of note cards and demonstrate on chalkboard the information note cards should contain.

Day 3 Class discussion of research paper format

1. Hand out assignment sheets.
2. Review assignment sheet, clarifying any questions students might have. Stress format.
3. Teacher should issue first draft due date and final copy due date and give explanation of both.

4. Teacher should explain that final copy of research paper should be typed (double spaced) or written in ink using only one side of the paper.
5. Teacher should explain whether students should make a creative cover for research paper or use standard research paper coverlets.
6. Teacher/students should discuss any other details deemed to be important.

Day 4 Review tools of research
1. Card catalogue- - 3 types of entries
2. Reader's Guide to Periodicals
3. Importance of library call numbers
4. Specialized reference materials, i.e. Congressional Directory, etc.
5. Students finalize selection of person for research paper.

Day 5 Library Activity -- Class meets in school library
1. Have librarian give students an overview of resource materials available in school library and explain how resources can be supplemented through use of local community libraries.
2. Have students begin their initial information gathering process.
3. Explain to students that the remainder of the necessary research work will be done in a homework mode - independently, outside of class time.

Day 6 Pre-scheduled Ist Draft due date
1. Review Ist drafts to monitor progress toward completion of project.
2. Teacher should give additional clarification and assistance as indicated.

Days 7 and 8 Peer critique of oral presentations
1. These two days will come at the end of the assignment. Students will make oral presentations of their research work which will include a short question and answer period.
   Peer critique may include comments about adequacy of information gathered, if all required areas were covered and questions related to difficulties encountered, the most interesting bit of information uncovered.

EVALUATION: Examination of research papers, formal testing regarding concepts of the research process and of its various elements, and peer critique.

(Example) Student Name_____Date____
Subject _____
Teacher _____

INDIVIDUAL RESEARCH PAPER ASSIGNMENT

ISSUE DATE:_____
DUE DATE: _____

OF AND ABOUT PEOPLE IN CONGRESS

Directions: Research papers should include the following data:

CONGRESSMAN'S/SENATOR'S NAME:_____

1. Title Page
2. Table of Contents
3. Introduction
4. Early Life
5. Educational Background
6. Occupational Experiences
7. Military Career - if any
8. State and Local Government Experience
9. Congressional Service
   a. Job description - qualifications and duties
   b. How did he/see get job
   c. Years of service
   d. Political affiliation
   e. Home state and city
   f. District represented - geography and demographics
   g. Bills he/she introduced in Congress
   h. Major bills passed by Congress during his/her tenure
   i. Major accomplishments
10. List congressional representatives from California during this time
11. President and Vice President during this time
    a. Major domestic issues
    b. Major foreign policy issues
12. The Supreme Court of the time
    a. Its members
    b. Important cases acted upon
13. Spouse, Children, Family life
14. Conclusion - summary, analysis and opinion
15. Footnotes
16. Bibliography

NOTE: First draft due: _____

LESSON 20 p. 1
NANCY M. PATTERSON

Nancy teaches Government and Economics at Etiwanda High School in the Chaffey District. She is social studies department chair, mentor teacher, and Academic Decathlon coach. She serves on the Social Studies CAP writing team and has chaired the Chaffey District Curriculum Steering Committee.

LESSON TITLE: **Political Action Committees**

SUBJECT AREA/LEVEL: Government Grade 7 - l2

TEACHING TIME: 4 class sessions

INSTRUCTIONAL OBJECTIVES:

1. Students will discuss the necessity/purpose of PACs.
2. Students will detail how PACs function.
3. Students will analyze the effectiveness of PACs.
4. Students will determine which PACs support particular partisan candidates and why.

MATERIALS NEEDED:

1. Video Tape: "Political Action Committees" 20/20 an ABC Production. Edward Hirsh, Producer.
2. *Magruder's American Government.* William A. McClenaghan, Allyn and Bacon, Inc.
3. *American Government Principles and Practices.* Mary Jane Turner, Merrill Publishing Co.
4. Newspapers/Periodicals/Campaign Literature
5. PAC Statistic Handout

PROCEDURE:

Note: Prior to Day one pertinent PAC reading was assigned as homework.

DAY I

1. Students will view video tape, "Political Action Committees". Students should record important facts and examples presented.
2. After viewing the video, each student writes his/her response to the following question: "What do PACs get for their money?"

3. Elicit student responses.
4. Distribute Discussion Questions over the previous reading assignment and video. Students are to complete this as homework.

DAY 2

I. Discuss previously assigned questions, personalizing the impact PACs have on individuals who desire to be part of the democratic process.
2. Students select which type of PAC they wish to join; this becomes their PAC of expertise.
3. Students group according to their PAC selection. They decide their strategy/responsibility in addressing the following assignment:

> During a one week period students are to research partisan candidates to national, state, and local office noting their positions on a variety of issues. All facts must be documented. Students are to bring to class all pertinent material at week's end.

DAY 3

1. Students group according to their PAC selection.
2. Students share the results of their research with their group.
3. Each group is now asked to determine which candidates their PAC will support and why.

DAY 4

1. A representative(s) from each PAC reveals to the class which candidates his/her PAC will support and why.
2. Classmates are encouraged to question the conclusions of each PAC after each presentation.

EVALUATION:

The names of three partisan candidates in a variety of combinations are written on slips of paper which are placed in a hat; each student draws a slip from the hat at random.

Once each student has his/her draw, (s)he indicates which PACs will support which candidate and why.

Once each student has his/her answers, each student is to staple his/her slip to his/her test.

POLITICAL ACTION COMMITTEES

Discussion Questions

1. What do PACs get for their money?

2. What was the catalyst for the creation of PACs?

3. List examples of PACs:

4. Whom should elected officials represent -- their constituents or special interest groups?

5. Explain the following two techniques which PACs employ as a way of circumventing the "spirit of the law":
   A. Pyramiding B. Bundling

6. Briefly summarize Senator Steven Symms', (R) Idaho, defense of PACs.

7. Briefly summarize Senator David Boren's, (D) Oklahoma, and former Senator Gary Hart's criticism of PACs.

8. Why do lobbyists contend they are the victims of congressional manipulation?

9. If candidates for political office do not take PAC money, what is their alternative?

10. PACs shut out citizens from the democratic process. Support or refute.

POLITICAL ACTION COMMITTEES

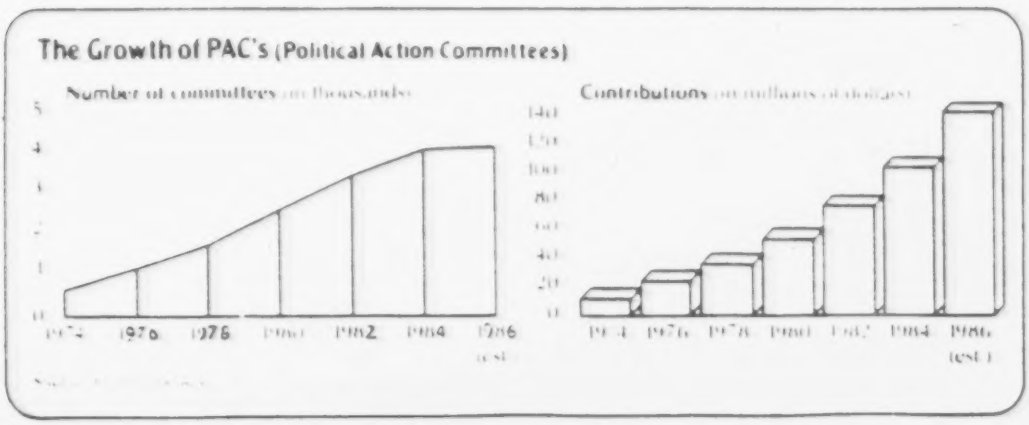
Sign Up Sheet

Listed below are various types of Political Action Committees. Sign your name next to the type you would most likely join; this becomes your PAC of expertise. There should be no more than three students per PAC.

1. Business _____
2. Labor _____
3. Agricultural _____
4. Professional _____
5. Environmental _____
6. Women _____
7. Veterans _____
8. the Aged _____
9. Racial Minority _____
10. Handicapped _____
11. Religious _____
12. Other _____

1984 ELECTION CAMPAIGN CONTRIBUTIONS OF SELECTED POLITICAL ACTION COMMITTEES

COMMITTEE	CONNECTED ORGANIZATION	MONEY TO PRES. & CONGRESSIONAL CANDIDATES	SHARE GIVEN TO DEMOCRATS	REPUBLICANS
Realtors PAC	National Assoc. of Realtors	$2,429,552	36.1%	63.9%
American Medical PAC	American Medical Association	$1,839,464	36.1%	63.9%
AMOCO PAC	Standard Oil	$ 307,499	15.8%	84.2%
Business Industry PAC	None	$ 171,429	5.6%	94.4%
Auto & Truck Dealers Election Action Committee	Nat'l Auto Dealers Association	$1,057,165	39.7%	60.3%
Democratic-Republican Independent Voter Education Committee	International Brotherhood of Teamsters	$ 717,090	85.6%	14.4%
AFL-CIO COPE Political Contributions Committee	AFL-CIO	$ 650,795	99.9%	0.1%
Gun Owners of Campaign Committee	Gun Owners of Campaign '76	$ 25,639	9.0%	91.9%



LESSON 21 p. I

Linda Christiano

BA Rosary Hill College and Canisius College Buffalo, NY. Teacher I7 yrs. and dept chm. of secondary social studies upstate NY, Ariz; presently Etiwanda H.S. Rancho Cucamonga, Ca. Stresses current events relationship to historical content of the curriculum. The I988 recipient of Outstanding Achievement award from city of Rancho Cucamonga & Nat'l committee on Bicentennial for promoting Constitutional ideals in the classroom. National Endowment for the Humanities fellow in Constitutional History U. of Redlands Summer I988.

LESSON TITLE: The "Right" to an Education: Analyzing Constitutional Issues by Utilizing the Decision-making Grid.

SUBJECT AREA/LEVEL: Government/US. History, Secondary

PREREQUISITES:

This lesson should be used after a thorough examination of the text and students are grounded in the concepts of federalism., republican government, responsible participation of citizens in the government as well as personal civil liberties found in the Constitution and its amendment.

INSTRUCTIONAL OBJECTIVES:

Upon completion of this activity, the student will be able to:

1. Define the following terms: federalism, states' rights, civic virtue, common welfare, equal protection of the laws, minority or dissenting opinion, majority opinion, representative government, narrow (strict) interpretation of law, broad (loose) interpretation of law, Brown vs. Board of Education, precedent.

2. Make a list of the Constitutional issues involved in a recent case study.

3. Set up a method to analyze these issues found within the case study. This will be done through use of the decision-making grid approach.

4. Evaluate which decision should be made concerning the case, based on the criteria that the learning group has determined to be necessary and the various alternatives or courses of action that the learning group has discussed.

5. Utilize a decision-making grid as a method of analyzing a problem and its possible solutions, especially becoming cognizant that each possible alternative or solution has costs and benefits and does not equally benefit all concerned.

6. Appreciate and better understand the process of the Supreme Court system in interpreting controversial issues of Constitutionalism, personal liberties and public good.

MATERIALS NEEDED:

1. Student texts "Constitution of the United States of America"--secondary student texts prepared for the National Bicentennial Competition on the Constitution and the Bill of Rights (Center for Civic Education, Calabasas, CA 91302)
2. Handout *Los Angeles Times* June 25, 1988 "Court OKs Fee to Ride School Bus." (attached) duplicated for all students
3. Dittoed copies of blank decision-making grids for all students
4. Overhead projector

PROCEDURES:

DAY 1

OPENING ACTIVITY:

1. Have students practice using a decision-making grid by giving them the following problem: Your class woll be allowed a one-day field day for a legal, off-campus activity. It will be a group activity. The student council will make the decision on how to spend that day, based on student input and ideas. The student council will carefully weigh student ideas, discuss alternatives and, using criteria that they set up, choose an activity for a good fun day.
2. Have the students list the possible criteria for this decision on the board. They may include criteria such as safety, cost, most student involvement, need for chaperones, etc.
3. Have the students list on the board as many possible choices of activities that might be considered for this day. Such a list might include Disneyland, the beach, the mountains, picnic in a local park, a Dodgers game, etc.

4. Have teacher, with as much student input as possible, fill in a blank decision-making grid on an overhead transparency. The problem to be solved should be clearly stated, the criteria for decision-making should be placed along the top of the grid, the alternatives should be placed along the side of the grid, and each alternative should be judged as appropriate and meeting each criteria (put a +) or inappropriate and not fitting the criteria (put a -). See attached grid for an example.

5. Discuss how the grid can be used to analyze problems and arrive at conclusions through careful analysis of alternatives.

6. Homework: assign the attached reading from the *Los Angeles Times*, June 25, 1988. Ask each student to come to class the next day with a list of the problems involved in the case study and possible alternatives for action on the issue involved.

DAY 2
OPENING ACTIVITY:

On the board or on an overhead, have the following quotation from Aristotle:

> "All who have meditated on the art of governing mankind have been convinced that the fate of empires depends on the education of youth."

1. Have students spend 5 minutes of class discussing the ideas and concepts involved in this quotation. What was Aristotle trying to say? Was he right? Explain. Possible concepts for discussion might include:
   a. importance of educated citizenry, capable of wise-decisionmaking, as the foundation of a representative government.
   b. refer back to the Federalists, especially Hamilton, who viewed mankind as brutish and thus in need of strong rulers and governments.
   c. the historic importance of education throughout American society.
   d. the importance of the individual to display civic virtue and act for the common welfare of society.
   e. the need for government to adapt to the times.

2. The above issues should have already been explored earlier in the course so the above is meant for a quick review before discussing the case study that was last night's homework.

3. Break students into co-operative learning groups of 3-4 each. Put the following questions on the overhead, or on the chalkboard, or on a ditto to be distributed to each group. This is their task for the remainder of classtime:
   a. What is the problem that the Supreme Court was asked to settle?
   b. What were some of the choices or alternatives that the Supreme Court probably considered before making their ruling?
   c. What was the Supreme Court's ruling in this case study?
   d. Why did the Supreme Court rule in this manner? What were some of the underlying Constitutional issues involved?
   e. What criteria should be considered before a decision on this issue should be made? List these criteria.
   f. Using yesterday's decision-making grid on the Student Body's "legal Ditch Day", fill in a blank decision-making grid as the Supreme Court might do if they were to set up criteria for making a decision and examining alternative courses of action.
   g. As a group, decide what the ruling on the case should be, as if you were the Supreme Court.
   h. As a group, compose a short essay explaining your reasons for arriving at the decision you have made.

DAY 3

OPENING ACTIVITY: On the board or overhead have the following Question: IS EDUCATION A CONSTITUTIONAL RIGHT?

1. Have each student write a brief paragraph that answers this question, giving at least 3 reasons for making this decision. Turn in.

2. Discuss criteria that each group used to make a decision on yesterday's case study activity. Have one member of each group write their criteria on sections of the board. Discuss each group's criteria, making note of the similarities and differences.

3. Discuss why it is important to set up criteria before making a decision, whether on a national issue, local issue or even strictly personal issue.

4. What alternatives or choices of action did each group choose if you were to be the Supreme Court and rule on this case? Compare each group's alternatives.

5. What was each group's decision? Did your decision fit the criteria you set up for wise decision-making? Was your decision Constitutional? Prove that your decision was the best course of action. This might be done by setting up an impromptu debate between two groups that chose very different courses of action for the Court.

6. Teacher summarize by stressing the importance of examining alternatives, looking for the best choice although the perfect or correct choice may never be known. Stress the importance of looking at the costs and benefits of each alternative course of action before making a decision. Show that costs and benefits may not be the same for all individuals within a society. Discuss the importance of individuals and society setting goals and having certain values or criteria before chosing among alternatives.

EVALUATION:

Take any other Supreme Court decision found in the student textbook and allow each group to make a decision-making grid for the issue and present it to the class.

FOLLOW-UP ACTIVITIES: (OPTIONAL)

1. Possible additional governmental questions for using the decision-making grid approach to problem solving:
   a. Should the government mandate access ramps for the handicapped in all public buildings and private businesses?
   b. Should government save lives by enforcing a 55 MPH speed limit?
   c. Should we continue the space program?
   d. Should discrimination ever be allowed?

2. Possible related quotation for discussion, debate, writing activities:
   a. "The best government is that which governs least." or
   b. "The best government is the one that promotes the greatest happiness for the greatest number."
   Take a stand and prove your point.

3. Should the government nationalize education? (Who gains? Who loses?)

Overhead Transparency

STEPS IN MAKING A WISE DECISION

1. Identify the problem
2. Identify the source or cause of the problem.
3. Attack the cause or source of the problem in the most specific manner possible:
   a. List the alternatives for action
   b. List the criteria for making a choice
   c. Compare alternatives with criteria and evaluate each.
4. Make a decision

Los Angeles Times, Saturday, June 25, 1988, Page I

COURT OKS FEES TO RIDE SCHOOL BUS

No Constitutional Right to Education, Justices Maintain

by David G. Savage, Times Staff Writer

WASHINGTON -- The Supreme Court, concluding that children do not have a constitutional right to an education, ruled Friday that local governments may charge parents to bus their children to school, even if poor families cannot afford the cost.

On a 5-4 vote, the high court flatly rejected the argument that forcing the poor to pay to send their children to school denies them the "equal protection of the laws."

The court opinion was issued in a case of minor significance: whether rural school districts in North Dakota may charge a fee for school busing. In most of the nation's rural school districts in North Dakota may charge a fee for school busing. In most of the nation's public school districts, children are not charged for busing and even the family that appealed this case to the high court was able to drive its daughter to school in a pickup truck.

But the conservative court majority used the opportunity to announce a narrow interpretation of constitutional protections.

"Statutes having different effects on the wealthy and the poor are not, on that account alone, subject to strict equal protection scrutiny," wrote Justice Sandra Day O'Connor for the court. "Nor is education a 'fundamental right' that triggers strict scrutiny when government interferes with an individual's access to it."

Justice Thurgood Marshall, writing the dissenting opinion, declared: "Today, the court continues the retreat from the promise of equal educational opportunity by ho ding that a school district's refusal to allow an indigent child who lives l6 miles from the nearest school to use a school bus service without paying a fee does not violate the l4th Amendment's equal protection clause." He was joined by Justices William J. Brennan Jr., Harry A. Blackmun and John Paul Stevens.

Fees for Textbooks

The decision appears to uphold the practice in some public schools of charging fees for textbooks, gym uniforms and extracurricular activities. However, education lawyers said that such fees still could be challenged under state constitutions, many of which, unlike the U.S.

Constitution, guarantee their citizens a free public education.

The high court majority said that Friday's ruling merely applies its earlier decisions. In 1973, for example, the justices held that children in school districts in poor Texas communities were not deprived of the equal protection of the laws just because less was spent for their education than for the schooling of children in wealthy communities.

As the dissenters pointed out, however, the court said in its landmark Brown vs. Board of Education ruling in 1954:"Education is perhaps the most important function of state and local governments." And in 1982, the court ruled that Texas could not deprive illegal alien children of a free public education.

Since the Brown decision, the court regularly has intervened when it has believed that black and Latino children have been denied an equal education. But, as O'Connor noted, the court has not imposed the same level of "strict scrutiny" on state and local programs that discriminate against the poor.

Moreover, she said, because the U.S. Constitution does not require states to provide public schooling or school busing, "it is difficult to imagine why choosing to offer the service should entail a constitutional obligation to offer it for free."

Civil rights lawyers said that they are disturbed by Friday's ruling because the conservative court majority showed itself to be unconcerned by government services that discriminate against the poor.

"This is an unfortunate decision, particularly at a time when our society has come to recognize the importance of public education," William Taylor, an attorney for the Leadership Conference on Civil Rights, said.

He said that the court's 1973 decision upholding unequal educational property tax rates in Texas was driven in large measure by the justices' fear of becoming entangled in rewriting state and local tax plans. But striking down North Dakota's busing fees in some of its rural school districts, he said, would not have required so much judicial interference.

"One can only hope that one day they {the justices} come to realize the need to apply the equal protection clause to poor people when they are denied services that are vital to their success," he said.

This case arose in 1985, when Paula Kadrmas refused to pay a $97-a-year-fee to bus her daughter to a school in Dickinson, N.D. She and her husband, a part-time oil field worker, had two preschool children for whom they soon would have had to pay the fee, and they said they could not afford it on their poverty-level income.

A legal aid attorney filed a suit on their behalf, noting that children in other districts in the state were not charged a busing fee. The North Dakota courts upheld the fee, a position that the Supreme Court subsequently endorsed.

"The statute challenged in this case discriminates against no suspect class {of persons} and interferes with no fundamental right," O'Connor wrote. Her opinion (Kadrmas vs. Dickinson Public Schools, 86-7113) was joined by Chief Justice William H. Rehnquist and Justices Byron R. White, Antonin Scalia and Anthony M. Kennedy.

In other rulings, the court:

--Refused to hold that federal officials could be held personally liable for their decisions in the early 1980s to remove thousands of persons from the Social Security disability rolls. On a 6-3 vote, the justices said that Congress took specific steps to remedy this problem and gave back benefits to persons whose disability payments had been unjustly cut off (Schweiker vs. Chilicky, 86-1781).

--Refused to require that police and prosecutors urge suspects to refuse to talk to them without a lawyer. On a 5-4 vote, the court rejected the contention of a Chicago man convicted of murder that suspects should be given an even stronger warning than now required to keep quiet after they have been accused of a crime (Patterson vs. Illinois, 86-7059).

YOU ARE A MEMBER OF CONGRESS.

Sample Decision-Making Grid

THE ISSUE TO BE VOTED ON IS:

SHOULD WE CONTINUE WITH THE 55 MPH SPEED LIMIT ON THE HIGHWAYS?

INTEREST GROUPS	Insurance co.	Conservationists	Police	Airlines Industry	Truck Drivers	
PASS						
NOT PASS						

Sample Decision-Making Grid

The Problem

HOW SHOULD THE CLASS SPEND ITS TIME ON A LEGAL SCHOOL FIELD TRIP?

	Criteria 1	Criteria 2	Criteria 3	Criteria 4	Criteria 5	Criteria 6
	get lots of involvement	safety	parental approval	cost	friends going	time needed
BEACH						
DISNEYLAND						
MAGIC MOUNTAIN						
COLORADO RIVER						
MOUNTAINS						
RAGING WATERS						
LOCAL PARK PICNIC						
DODGERS GAME						

Sample Decision-Making Grid

The Problem

_____

_____

_____

	Criteria 1	Criteria 2	Criteria 3	Criteria 4	Criteria 5	Criteria 6

LESSON 22 p. I
BRYNA HERBOLD

Bryna Herbold studied anthropology at UCLA. Before becoming a secondary teacher she was a Peace Corps volunteer and an ESL and Spanish teacher in adult education programs. She has taught Junior High History and Spanish for two years.

LESSON TITLE: The Right to a Fair Trial: What Does This Mean?

SUBJECT AREA/LEVEL: US History, Middle School

LESSON TIME: 2 or 3 class sessions

PREREQUISITES:

Basic knowledge of the Constitution and the Amendments
Familiarity with vocabulary such as precedent, due process of law, counsel, capital offenses

INSTRUCTIONAL OBJECTIVES:

I. To reinforce knowledge of those sections of the Constitution and amendments that relate to rights of the accused.

2. To discuss the lack of specificity of some terms, and the results when the meaning of these terms is debatable.

3. To discuss how one of the rights of the accused, that of the right to counsel, has been expanded, through the study of Gideon vs. Wainwright.

4. To identify some aspects of the process of appeal to the Supreme Court.

MATERIALS NEEDED:
Copies of the Constitution and amendments
Reading material provided here

PROCEDURE:
OPENING ACTIVITY:
Brainstorm "What is a 'fair' trial?"

STEPS 1

In small groups, students list, from Constitution (Art. III, Sec. 2) and amendments 5-8, rights guaranteed to persons accused of crimes.

STEP 2

Share lists in a class discussion and write them on board.
Highlight, by circling or whatever, words and terms open to debate.

STEP 3

In groups, students read some legal decisions (see enclosed reading) that have modified the above.

STEP 4

Students should read about the background of Gideon vs. Wainwright.

CLOSING ACTIVITY:

Problem solve -- How would you, as a group of Supreme Court justices, rule in this case (Gideon vs. Wainwright)? Why? Have groups share their decisions with the class.
Tell the class how the case was actually decided. Discuss.

EVALUATION:

Answer questions individually in writing.

READING MATERIAL FOR STEP 3

As you know, the Constitution guaranteed that those accused of crimes be given a trial by jury, and the rights of the accused were expanded by the 5th to the 8th amendments. But many of the provisions applied only to Federal cases. The rights of the accused have gradually been clarified, and sometimes expanded, by state and federal court rulings.

Early in our history, precedent was set for counsel to be provided only for capital offenses.

The fourteenth amendment, ratified in 1868, extended the provisions of the "due process of law" to the states. Now they too should provide counsel, but probably only in capital offenses.

Another legal ruling that interpreted when the accused should be given counsel was the Supreme Court case of 1942 known as Betts vs. Brady. A poor farm worker who had been accused of robbery and found guilty appealed to the court because he had not been given counsel. The court ruled that"in the great majority of states appointment of counsel is not a fundamental right essential to a fair trial" and said that if counsel were provided for cases other than capital ones, people would even request them for traffic court. A number of judges at the time, including some of those on the Supreme Court, thought that this ruling meant that a basic Constitutional right would be denied to thousands of American citizens just because they were poor.

Do you agree with the court ruling?
Do you agree with the other judges?

READING MATERIAL FOR STEP 4 AND CLOSING ACTIVITY.

Clarence Earl Gideon was born in 1910. Most of his life, beginning at age 14, was spent wandering, gambling, and working at odd jobs. When times were tough he resorted to robbery or burglary and was arrested numerous times and served several jail sentences.

In 1961, in Florida, Gideon was arrested and accused of burglarizing a poolhall. Someone had entered it one night by breaking a window, and both cash and beer and wine had been stolen. A man claimed he witnessed Gideon leaving the poolhall early the next morning with a bottle of wine, and then saw him make a phone call in a nearby booth and leave soon after in a cab. This gentleman did not call the police but happened to be still lingering around when the police routinely passed by later.

Gideon requested a court appointed lawyer but was refused one because he had not been charged with a capital offense. He defended himself and pleaded innocent, claiming that he wouldn't have broken into the poolhall because, as a part time employee of it, he had a key. He also stated that he was being falsely accused because of his past record and reputation. But he was found guilty and sentenced to five years in prison.

While he was in prison, Gideon sent a letter to the Supreme Court claiming that Florida had violated his rights under the fourteenth amendment. The court agreed to hear the case, which became known as Gideon vs.Wainwright.

••••

In your groups, pretend you are a group of Supreme Court justices. Consider Gideon's claim. Will you support or overrule Betts vs. Brady? Someone in your group would be prepared to present your decision to the class.

REVIEW QUESTIONS

1. List at least 4 rights of the accused that existed before Gideon vs. Wainright.
2. Give an example of a Constitutional right that was not specific as originally stated.
3. What was the usual interpretation of the right to counsel before Gideon vs. Wainwright? How was this changed?
4. Using this case as an example, how can an ordinary citizen, even though poor and a prisoner, affect US Constitutional history.
5. Do you agree with the court's decision on Gideon vs. Wainwright? Explain.

LESSON 23 p. 1
BERNICE STANSBURY

BA Degree and MA in Education from California State University San Bernardino. Bernice teaches World History, US History and 7th and 8th Grade Gate Social Studies. She is Social Studies Department Chair at Curtis Intermediate School in San Bernardino. She was a member of the team who wrote the Social Studies Curriculum Guide for grades 7-12 for the San Bernardino Unified School District. She was recently nominated for Who's Who in American Education for 1988-89. She is an activist in community support of Fair Housing in San Bernardino County.

LESSON TITLE: Separation of Powers: Truman's Seizure of the Steel Mills in 1952: <u>Youngstown Sheet & Tube vs. Sawyer</u>

SUBJECT AREA/LEVEL: US History/Government Grade 11 or 12

LESSON TIME: 2 weeks or 10 class periods

INSTRUCTIONAL OBJECTIVES:

Students will learn, understand, and retain the concept of separation of powers by:

1. Naming the main participants involved in the event.
2. Distinguishing the powers of the three branches.
3. Defining the Taft-Hartley Act.
4. Describing events leading to the Supreme Court case
5 Comparing this case with President Reagan and the Air Controllers' strike.

MATERIALS NEEDED

1. Vocabulary list and definitions (provided here)
2. Student U.S. History Text.
3. U.S. Constitution student copies
4. References in the library from this Bibliography:

1) Marcus, Maeva, "Truman and the Steel Seizure Case: The Limits of Presidential Power," New York: Columbia University Press, 1977.
2) Patrick, John J. and Richard C. Remy, "Lessons on the Constitution" for Project 87 and the Social Science Education Consortium, pp. 253 - 255.
3) Corwin and Peltason's, "Understanding the Constitution," 10th edition, CBS College Publishing, c. 1985, pp. 88-90.
4) Cushman, Robert F., "Leading Constitutional Decisions," Prentice-Hall, Inc., c. 1982, pp. 37-48.
5) Westin, Alan F., "The Anatomy of a Constitutional Law Case," The Macmillan Company, 1958.

PROCEDURES:

OPENING ACTIVITY:

Tell students that the purpose of studying the event "Truman's Steel Seizure" is to illustrate the concept of separation of powers. Discuss and explain vocabulary and any unfamiliar terms such as laws or court cases. Briefly describe the situation which leads to the steel seizure.

Relate lesson to students personally. For example:

If your father were a steel worker, how would he react if the President seized control of the mill and prevented him from striking to obtain a wage increase?

Suppose your father were fighting in Korea and his life depended on weapons that were produced by the steel industry. Would you approve of the President's seizing the steel mills so that the production of steel would continue?

STEP 2:

Inform the students that they are going to read a fictitious newpaper article describing the steel strike and Truman's seizure. Distribute Handouts #1 and #2

Have students read "Truman and the Steel Strike." (Handout #1)
Inform students they are to role-play this event. Ask for volunteers to play the parts of the steel workers, steel industry management, or Americantroops in Korea. Choose one person to play the part of the President.

Example:

Steel Workers

Striking would cause them a hardship. Without a strike they will not get an increase in wages. If government had control, however, they might get an increase.

Management

They would not get a price increase if government took control.
Because of the Korean Conflict they were finally making profits.
They were now prepared for a slowdown when the war ceases. If the steel workers got an increase without the price of steel being raised they would not have profits to prepare for a slowdown. They were angry at Truman for placing blame on them for inflation.

U.S. Troops

Many soldiers were dying in the conflict. They did not want more deaths because of lack of weapons.

President

The Taft-Hartley Act would interrupt production of weapons while initiating steps to implement it.

Steel workers had agreed not to strike 4 times previously.

The Constitution gave him power as commander in chief of the army and navy. He claimed that there was a national emergency.

STEP 3
Now read the fictitious news articles or Handout #2

Tell students to assume their roles. As a T.V. reporter from a local station, question the students as a "man on the street" interviewer. A simulated microphone may be used. Ask characters from each category what (s)he thinks about Truman's seizure.

After role-playing, write on the board duties of the President as they are written in the Constitution.

"... he shall take care that the laws be faithfully executed..."

"The President shall be commander in chief of the army and navy of the United States..."

Inform the class that the Steel Seizure case will be examined to determine if the Chief Executive (President) had the right to exercise the power of seizing control of steel mill property.

STEP 4:
Before reading about the Supreme Court's ruling, discuss with the class what they think the court's decision will be.

Read Handout #3, "Supreme Court Rules on Steel Mill Seizure Case," April 29, 1952.

STEP 5:
As an in-class discussion or homework assignment: Ask students to compare and contrast Truman's Steel Seizure case with Reagan and the Air Controllers' Strike, Handout #4.

ALTERNATE ACTIVITIES:
Read to the class the first two fictitious newspaper articles. Ask students to write a paper explaining how they think the Supreme Court will rule on this case.

Divide students into groups with one person acting as the recorder. Before revealing the outcome of the Supreme Court's decision, ask students to state opinions on whether they agreed or disagreed with the President's action and the reasons for their opinion.

The teacher may create a play about the event for students to enact.

CLOSING ACTIVITY:
Ask students to write a summary of the Steel Seizure case.

Ask students to unscramble these Anagrams:
1. powers Judicial distinct Legislative separate branches Executive and have and
2. laws Legislative the makes branch.
3. not executive power does laws branch the have make to

EVALUATION: Test the students to determine if they can answer the following questions:

1. Name the concept.

2. Define the concept.

3. List the critical feature.

4. Give an example

5. Give a non-example.

HANDOUT #1

Truman and the Steel Strike

Vocabulary to accompany reading:

seizure, inflation, union, strike, issue, injunction, management, interpret, dispute, inherent power, Youngstown vs. Sawyer, and Taft-Hartley Act.

Text:

While Truman was President, the United States became involved in the Korean conflict, an undeclared war. American troops were defending the southern Republic of Korea from North Vietnamese invasions. The Soviet Union was suspected of instigating this affair. The United States and its allies were striving to repel the communists.

At this time, the labor union was negotiating with steel industry management for a wage increase. Management did not want to increase wages unless steel prices were raised. The Office of Price Stabilization would not agree to a price increase of steel. Steel industry profits did not warrant increased prices. Truman feared runaway inflation would result from a price increase, because other companies would, in turn, raise prices of their products. Labor workers and American consumers would get less for their money. Because a settlement could not be reached between the labor union and steel industry management, a strike was imminent.

President Truman feared that a strike would endanger the lives of U.S. troops and that our national defense would be threatened. A work stoppage would halt the supply of weaponry needed for the war in Korea. A national catastrophe would occur.

Since an agreement between the labor union and the steel industry could not be reached, Truman decided to seize the mills. A national emergency was his reason for taking this action.

The President announced his plans for the seizure beforehand. He had hoped that the steel workers and management would settle their dispute if they were threatened with governmental control. This action would also give Congress time to respond. However, Congress neither approved nor disapproved.

On April 8, 1952 at midnight, Secretary of Defense, Charles Sawyer was ordered by President Truman to seize more than 92 steel mills in the United States. Steelworkers were unhappy because they could not strike. Management not only was disappointed with the President's action but was outraged because Truman publicly blamed the steel industry for not settling with the union.

Steel industry executives filed for an injunction against the seizure. They questioned the President's authority to take control of the steel mills. They argued that Truman could have used the Taft-Hartley Act as a tool to prevent a strike. Consequently, instead of the issue being a labor union dispute, the issue of the President's action being unconstitutional received national attention.

The case, Youngstown Sheet and Tube v. Sawyer went to the Supreme Court. The Court ruled 6-3 in favor of Youngstown. The Court held that the Constitution did not grant or imply power to seie property to the Executive branch. The Chief Executive had legal means to prevent a strike through the Taft-Hartley Act.

This case is clearly an example of separation of powers. It emphasizes and delineates Executive power: The President must enforce the law. Congress may disapprove of the President's actions. The Supreme Court decides what is constitutional. In this case, it decided that the President's action was unconstitutional.

This event can also serve as an example of and as an introduction to Checks and Balances and Limited Government. The Executive branch was checked by the Supreme Court and by the action of Congress. The Supreme Court decision limited Executive power.

HANDOUT #2

ARTICLE #1

TIMES April 8, 1952

Truman Seizes Steel Mills

Effective at midnight, President Truman ordered Secretary of Defense, Charles Sawyer, to seize more than 92 steel mills in the United States.

The Chief Executive declared that the country's national defense is at risk. He stated that our troops in Korea would be endangered if production of weapons was interrupted.

There is a dispute between the Steel workers of America and the steel industry over wage increases. This dispute is bound to result in a strike.

Steelworkers are demanding higher wages to keep up with rising costs.The steel industry refuses to increase their wages without a price increase of steel.

Truman stated that this seizure was necessary to avert a strike between labor union workers and the steel industry.
(fictitious newspaper article)

ARTICLE #2

TIMES April 10, 1952

Steel Industry Challenges President's Seizure

Clarence Randall, an Inland Steel executive lashes out that Truman's seizure of the steel mills is unconstitutional.

He argues that the President does not have the power to make laws. Legislative power is vested in Congress only.

Congress passed a lawcalled the "Taft-Hartley Act." This act grants authority to the President to delay a strike for as long as 80 days when faced with a national emergency.

Attorneys for Youngstown Sheet & Tube Company have filed for a permanent injunction against the seizure.

HANDOUT #3

ARTICLE #3

TIMES APRIL 29, 1952

Supreme Court Rules on Steel Mill Seizure Case

In the case Youngstown v. Sawyer, the Court ruled that Truman's seizure was unconstitutional. The court's position was:

1) The Constitution does not specifically grant or imply power of property seizure to the Chief Executive.

2) The President had legal means to avert the strike through the Taft-Hartley Act.

3) Congress had rejected an Amendment to the Taft-Hartley Act which would have authorized the Executive branch power to seize property.

4) Furthermore, as Chief Executive it is the President's duty to carry out laws made by Congress.

By not implementing the Taft-Hartley Act's authority to prevent a strike and by ignoring Congress's rejection of an amendment providing power to seize property, Truman was not enforcing laws.

This clearly shows that the President did not carry out his duties as Chief Executive and overstepped the power of the Executive branch.

HANDOUT #4

REAGAN AND THE AIR CONTROLLERS' STRIKE

The International Association of Air Controllers went on strike after President Reagan refused to negotiate with their union, PATCO. Reagan ordered all striking air controllers to return to work with a warning that they would lose their jobs if they refused. Most of them did not return and were fired.

Reagan explained that there is a law "that federal unions cannot strike against their employers, their employers being the United States." An oath is also taken by an employee that he or she will not strike. Both the air controllers and PATCO are federal employees. Thus, the air controllers broke the law by striking and not returning to work after the President ordered them to.

1. Name the main participants in Truman's Steel Seizure (Youngstown v. Sawyer) case.

2. Name the parties involved in the Reagan - Air Controller event.

3. Explain how Truman's Steel Seizure is similar to Reagan and the Air Controllers.

4. Explain or describe the differences in the two events.

5. What is important about Truman's Steel Seizure?

6. Describe the Taft-Hartley Act.

LESSON 24 p. 1
VICTORIA HATCH

BA History, American University, Washington, D.C., Master of Divinity, Virginia Theological Seminary. Ordained Episcopal priesthood in 1977. She teaches 8 th grade Social Studies, US History, English, Family Life at Susan B. Coombs in Banning. She enjoys travelling overseas and in the Eastern United States.

LESSON TITLE: The Struggle for Ratification

SUBJECT AREA/LEVEL: Social Studies/US. History/Civics

LESSON TIME: 4 to 5 class sessions

PREREQUISITE:

Prior to this lesson, the students will have knowledge of the Articles of Confederation, the proposed Constitution of the United States, the Constitutional Convention. A. Hamilton, J. Madison, R. Yates and R.H. Lee.

INSTRUCTIONAL OBJECTIVES:

1. Students will use critical thinking skill to gain a fuller understanding of the Framers intent.

2. Students will be exposed to excerpts of original materials in order to gain a greater understanding of the federalist system.

3. Students will be able to explain separation of power, checks and balances and an independent judiciary.

MATERIALS NEEDED:

Paper, pencils, chalk and chalk board.
History and/or civics texts, background readings from *The Federalist Papers* and the writings of the Anti-Federalists, dictionaries, etc. Instructor may supplement with available materials on the ratification period.

PROCEDURE:

OPENING ACTIVITY:

Place students in pre-selected cooperative learning groups (3 or 4 to a group), and present each group with a different, but specific passage of either *The Federalist Papers* or the writings of the Anti-Federalists (from #9, #l0, #47, #48, #5l, #63, #68, #7l, or #78 are possibilities) (from the *Country Farmer*, Cato or Brutus).

Each group will re-write the passage in their own words.

STEP 2:

Each group will prepare either a cartoon (series of drawings), with each member responsible for a section or a skit to explain their passage, with everyone having a part.

STEP 3:

Each group will make a presentation to the class with their interpretation of the passage.

CLOSING ACTIVITY:

After each presentation or skit the students in the class will explain the main ideas of the dramatized or illustrated passage in a short paragraph or in discussion.

EVALUATION:

Students will be evaluated/graded on their understanding of the concepts, their participation in the cooperative groups and their presentations.

LESSON 25 p.1
NANCY M. PATTERSON

Nancy teaches Government and Economics at Etiwanda High School in the Chaffey District. She is social studies department chair, mentor teacher, and Academic Decathlon coach. She serves on the Social Studies CAP writing team and has chaired the Chaffey District Curriculum Steering Committee.

LESSON TITLE: **Supreme Court Simulation**

SUBJECT AREA/LEVEL: Government, 12th grade

TEACHING TIME: 6 class sessions

INSTRUCTIONAL OBJECTIVES:

1. Students will apply Constitutional guarantees to recent Supreme Court cases.

2. Students will justify the opinions they reach.

3. Students will appreciate the seriousness with which the Supreme Court Justices approach cases.

4. Students willl analyze the impact Supreme Court decisions have on society.

MATERIALS NEEDED:

1. Video tape: "Juvenile Justice and Capital Punishment" from This Week With David Brinkley, ABC, July 3, 1988.

2. *Magruder's American Government.* William A. McClenaghan, Allyn and Bacon, Inc.

3. *American Government Principles and Practices.* Mary Jane Turner, Merrill Publishing Co.

4. "Court OKs Fees to Ride School Bus" *Los Angeles Times,* Saturday, June 25, 1988.

PROCEDURE:

Note: Prior to Day One students have acquired knowledge of how cases reach the Supreme Court, as well as the Court's structure, jurisdiction, and procedure.

DAY 1

1. Students view video tape, "Juvenile Justice and Capital Punishment"; an overview of the Supreme Court's decisions in question is from Nightline.

2. Discuss the video emphasizing argumentation, Constitutional basis for majority/dissenting opinions, as well as the impact of these decisions.

3. Assign the following as homework: You are a Supreme Court Justice and are to write either the majority, dissenting, or concurring opinion for one of the cases reviewed in the video. Be sure to base your argumentation on Constitutional ground.

DAY 2

1. Collect homework; randomly distribute the homework among students in the class. Each student is then instructed to read the opinion submitted by his classmate. He is to critique the opinion, identifying it as his.

2. Redistribute the homework being careful not to give the opinion to either its author or its critic. This student is a Founding Father concerned with original intent. His options are either to support the opinion or support the critique, detailing the Constitutional basis for his decision. Or he may submit a third position and his rationale, identifying it as his.

3. Return the homework to the owner and allow time for him to read the responses from his classmates.

4. Collect the homework and elicit responses.

5. Distribute the article, "Court OKs Fees to Ride School Bus", to each student. Indicate that this is the case to be argued before their Supreme Court.

6. Each student selects which responsibility he wishes to assume.

DAY 3

I. Students group according to their area of responsibility. They determine their approach to the following:

During a three day period students are to become familiar with the Constitutional issues involved in Kadrmas vs. Dickinson Public Schools as precedent. Each must be adequately prepared to assume his role.

2. Students are told that they may group the last fifteen or twenty minutes of the following two days.

DAY 4

I. Teacher explains the procedure, dress, and staging for tomorrow's Supreme Court; questions are encouraged.

2. Students group to finalize their plans and to construct their props.

DAY 5 and 6

Supreme Court hears the argumentation from the team of lawyers representing Paula Kadrmas as well as that from the lawyers representing Dickinson Public Schools. Justices interrupt to ask questions of the lawyers or to refute a conclusion they have drawn.

Supreme Court discusses the merits of each presentation in the presence of the lawyers; Justices group according to their opinion -- majority, dissenting, concurring. Each formalizes its opinion.

Court is called "to order" and the decisions read.

CLOSING ACTIVITY:

Review with the class the arguments on both sides of the issue and why the court decided as it did. The rest of the students can decide how they would have voted had they been on the "Supreme Court."

SUPREME COURT SIMULATION

Sign Up Sheet

Note which role you would like to assume for the Supreme Court simulation.

1. Chief Justice William Rehnquist_____
2. Justice Sandra Day O'Connor _____
3. Justice Thurgood Marshall _____
4. Justice William Brennan _____
5. Justice Byron White _____
6. Justice Harry Blackmun _____
7. Justice Anthony Kennedy _____
8. Justice John Paul Stevens _____
9. Justice Antonin Scalia _____

Team of lawyers representing Paula Kadrmas:

Team of lawyers representing Dickinson Public Schools:

Los Angeles Times, Saturday, June 25, 1988, Page I

COURT OKS FEES TO RIDE SCHOOL BUS

No Constitutional Right to Education, Justices Maintain

by David G. Savage,
Times Staff Writer

WASHINGTON -- The Supreme Court, concluding that children do not have a constitutional right to an education, ruled Friday that local governments may charge parents to bus their children to school, even if poor families cannot afford the cost.

On a 5-4 vote, the high court flatly rejected the argument that forcing the poor to pay to send their children to school denies them the "equal protection of the laws."

The court opinion was issued in a case of minor significance: whether rural school districts in North Dakota may charge a fee for school busing. In most of the nation's rural school districts, children are not charged for busing and even the family that appealed this case to the high court was able to drive its daughter to school in a pickup truck.

But the conservative court majority used the opportunity to announce a narrow interpretation of constitutional protections.

"Statutes having different effects on the wealthy and the poor are not, on that account alone, subject to strict equal protection scrutiny," wrote Justice Sandra Day O'Connor for the court. "Nor is education a 'fundamental right' that triggers strict scrutiny when government interferes with an individual's access to it."

Justice Thurgood Marshall, writing the dissenting opinion, declared: "Today, the court continues the retreat from the promise of equal educational opportunity by holding that a school district's refusal to allow an indigent child who lives I6 miles from the nearest school to use a school bus service without paying a fee does not violate the I4th Amendment's equal protection clause." He was joined by Justices William J. Brennan Jr., Harry A. Blackmun and John Paul Stevens.

Fees for Textbooks

The decision appears to uphold the practice in some public schools of charging fees for textbooks, gym uniforms and extracurricular activities. However, education lawyers said that such fees still could be challenged under state constitutions, many of which, unlike the U.S. Constitution, guarantee their citizens a free public education.

The high court majority said that Friday's ruling merely applies its earlier decisions. In I973, for example, the justices held that children in school districts in poor Texas communities were not deprived of the equal protection of the laws just because less was spent for their education than for the schooling of children in wealthy communities.

As the dissenters pointed out, however, the court said in its landmark Brown vs. Board of Education ruling in I954:"Education is perhaps the most important function of state and local governments." And in I982, the court ruled that Texas could not deprive illegal alien children of a free public education.

Since the Brown decision, the court regularly has intervened when it has believed that black

and Latino children have been denied an equal education. But, as O'Connor noted, the court has not imposed the same level of "strict scrutiny" on state and local programs that discriminate against the poor.

Moreover, she said, because the U.S. Constitution does not require states to provide public schooling or school busing, "it is difficult to imagine why choosing to offer the service should entail a constitutional obligation to offer it for free."

Civil rights lawyers said that they are disturbed by Friday's ruling because the conservative court majority showed itself to be unconcerned by government services that discriminate against the poor.

"This is an unfortunate decision, particularly at a time when our society has come to recognize the importance of public education," William Taylor, an attorney for the Leadership Conference on Civil Rights, said.

He said that the court's 1973 decision upholding unequal educational property tax rates in Texas was driven in large measure by the justices' fear of becoming entangled in rewriting state and local tax plans. But striking down North Dakota's busing fees in some of its rural school districts, he said, would not have required so much judicial interference.

"One can only hope that one day they {the justices} come to realize the need to apply the equal protection clause to poor people when they are denied services that are vital to their success," he said.

This case arose in 1985, when Paula Kadrmas refused to pay a $97-a-year-fee to bus her daughter to a school in Dickinson, N.D. She and her husband, a part-time oil field worker, had two preschool children for whom they soon would have had to pay the fee, and they said they could not affort it on their poverty-level income.

A legal aid attorney filed a suit on their behalf, noting that children in other districts in the state were not charged a busing fee. The North Dakota courts upheld the fee, a position that the Supreme Court subsequently endorsed.

"The statute challenged in this case discriminates against no suspect class {of persons} and interferes with no fundamental right," O'Connor wrote. Her opinion (Kadrmas vs. Dickinson Public Schools, 86-7113) was joined by Chief Justice William H. Rehnquist and Justices Byron R. White, Antonin Scalia and Anthony M. Kennedy.

In other rulings, the court:

--Refused to hold that federal officials could be held personally liable for their decisions in the early 1980s to remove thousands of persons from the Social Security disability rolls. On a 6-3 vote, the justices said that Congress took specific steps to remedy this problem and gave back benefits to persons whose disability payments had been unjustly cut off (Schweiker vs. Chilicky, 86-1781).

--Refused to require that police and prosecutors urge suspects to refuse to talk to them without a lawyer. On a 5-4 vote, the court rejected the contention of a Chicago man convicted of murder that suspects should be given an even stronger warning than now required to keep quiet after they have been accused of a crime (Patterson vs. Illinois, 86-7059).

LESSON 26 p. I
JOHN FERGUSON

BA in Political Science from University of Arizona, Graduate work in Political Science at UC Berkeley, MA in Manpower Development from University of Redlands. John worked for the Employment Development Department of State of California for 23 years. He just completed his first year as a social studies teacher at Bloomington Junior High School, Bloomington,CA.

LESSON TITLE: Understanding the Power Granted by the Constitution

SUBJECT AREA/LEVEL: US History, Grade 8

LESSON TIME: One 46-minute period

PREREQUISITE: Several periods reading and discussing US Constitution.

INSTRUCTIONAL OBJECTIVES:
Students will be able to:
I. Distinguish between the merits of a limited and unlimited government.

2. List powers that should not be granted to governments.

3. Identify any current governmental powers that they believe should be limited.

MATERIALS NEEDED:
1. Worksheets (see attachments #1 and #2)

2. Overhead projector

PROCEDURE: Discussion, worksheet activity

OPENING ACTIVITY:
As background brainstorm with students for I0 minutes about their various ideas of democracy. List these ideas on the overhead projector. Tell students that we are going to have a lesson on the concept of limited powers.

STEPS:

1. Pass out attachment #I and tell students to use their textbooks and notes to write answers in pencil to statements 1-5. Allow I5 minutes for this activity.

2. Have students read their answers to you and by sharp questions get them to come up with answers approximating those in Attachment #2.

3. Gradually show the answers on Attachment #2 on an overhead transparency.

4. Instruct students to make necessary corrections and write down corrected responses in their worksheets.

5. Teacher monitors writing activity. Reminds students to retain completed worksheet in their social studies folder.

CLOSING ACTIVITY:
Ask questions and respond to questions that students have about limited powers.

EVALUATION:

Remind students that questions about limited powers will be asked in the upcoming test on the Constitution.

ATTACHMENT #1

Below the statements write where and how our Constitution permits or prohibits our government from taking these actions.

1. The government should be able to require governmental permission to travel to all foreign countries, including Cuba.

2. In retaliation for holding American hostages in Lebanon our government should be able to send Lebanese people back to their own country when they criticize the U.S.

3. The government should be able to take children away from their parents permanently when they become unemployed.

4. The Supreme Court should be able to abolish federal and state laws when they violate the constitution.

5. The government should be able to ban some books and some news coverage that disagrees with government policy.

Attachment #2

Below the statements write where and how our Constitution permits or prohibits our government from taking these actions.

1. The government should be able to require governmental permission to travel to all foreign countries, including Cuba.

   The right to travel is implicitly protected in the Constitution. Travel to some foreign countries, as in the case of Cuba may be forbidden for national security or other reasons.

2. In retaliation for holding American hostages in Lebanon our government should be able to send Lebanese people back to their own country when they criticize the US.

   The First Amendment prevents this action. The government would have to prove that the criticism was a "clear and present" danger to the United States government.

3. The government should be able to take children away from their parents permanently when they become unemployed.

   The fundamental right to have and to raise children can only be limited when the government interferes in cases of child abuse and neglect.

4. The Supreme Court should be able to abolish federal and state laws when they violate the Constitution.

   The Supreme Court ruled in an early case, Marbury v. Madison, that the court has the power to declare acts of Congress unconstitutional. State laws may also be held invalid by the courts. This is called "judicial review".

5. The government should be able to ban some books and some news coverage that disagrees with government policy.

   The First Amendment freedom of speech and the right of a free press apply here. However, the government may be able to stop the publication of "top secret" documents for security reasons.

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RUTH FLOYD JOHNSON

BA In History at Bowie State College, Maryland, MA in Counseling and Personnel Services at University of Maryland, College Park, Ph D in Human Services Administration at University for Humanistic Studies in San Diego. Ruth teaches Social Studies at Rialto Junior High in Rialto, CA. She is also a Human Services Consultant. Her I8 years experience in education include: master teacher, counselor, administrator, university instructor, researcher and staff development facilitator. Her many civic contributions have brought her national and international awards. She is author of one book and co-author of another. She is a world traveller.

LESSON TITLE: Who Can Become a Public Official?

SUBJECT AREA: Social Studies/U.S. History/Civics/Government

GRADE LEVEL: Secondary 7-I2

TEACHING TIME: One 50-minute period

INSTRUCTIONAL OBJECTIVES: To help students:

1. Appreciate the concept of public service
2. Appreciate the responsibilities of public servants
3. Consider choosing a career in public service
4. Identify characteristics within themselves that are compatible with careers in public service
5. Increase their self-esteem

MATERIALS NEEDED:

1. List of adjectives that identify various individual characteristics (one for each student).
2. Chalkboard.

PROCEDURE:

OPENING ACTIVITY:

Review list of adjectives that describe various traits an individual may possess. Have each student check each item on the list that they think helps to describe themselves. (I0 minutes).

1. Have students write a generic paragraph about a person using the various adjectives they have checked on their list. Collect the paragraphs (I5 minutes)

2. Now, brainstorm class to develop a list on the chalkboard of their favorite public official (i.e. Congressperson, Mayor, President, Governor, etc.). (5 minutes).

CLOSING ACTIVITY:

Read several of the paragraphs aloud to the class. After each paragraph is read, ask the class to vote with a show of hands which person listed on the chalkboard they think the paragraph best describes (5 minutes).

EVALUATION:

Have students answer the following questions:
Who can become a public official?
Do you feel that you could become a public official?
Explain Why, or Why Not? (I5 minutes).

CAREERS SELF-AWARENESS

NAME _____
DATE _____

DIRECTIONS: Check each item that you think helps to describe you.

__ 1. studious
__ 2. friendly
__ 3. loquacious
__ 4. responsible
__ 5. compassionate
__ 6. punctual
__ 7. apprehensive
__ 8. reliable
__ 9. scrupulus
__ 10. congenial
__ 11. neat
__ 12. interesting
__ 13. impulsive
__ 14. intelligent
__ 15. affable
__ 16. brash
__ 17. alert
__ 18. considerate
__ 19. shrewd
__ 20. organized
__ 21. creative
__ 22. influential
__ 23. average
__ 24. fractious
__ 25. persistent
__ 26. super
__ 27. forgetful
__ 28. kind
__ 29. efficient
__ 30. productive
__ 31. amenable
__ 32. typical
__ 33. attractive
__ 34. rigid
__ 35. pretentious
__ 36. warm
__ 37. abrasive
__ 38. mature
__ 39. outstanding
__ 40. belligerent
__ 41. persuasive
__ 42. caustic
__ 43. confident
__ 44. understanding
__ 45. impetuous
__ 46. sincere
__ 47. complex
__ 48. antagonistic
__ 49. flexible
__ 50. sensitive
__ 51. respectful
__ 52. tolerant
__ 53. provocative
__ 54. serious
__ 55. arrogant
__ 56. intravert
__ 57. receptive
__ 58. talented
__ 59. antisocial
__ 60. respectable
__ 61. approachable
__ 62. dynamic
__ 63. thoughtful
__ 64. eloquent
__ 65. enlightened
__ 66. trustworthy
__ 67. courteous
__ 68. fair
__ 69. prudent
__ 70. sophisticated
__ 71. quizzical
__ 72. honest
__ 73. attentive
__ 74. inquisitive
__ 75. astute
__ 76. tempermental
__ 77. ambiguous
__ 78. giving
__ 79. sloven
__ 80. amoral

LESSON 28 p. I
JEFF McCALL

BS Degree California Polytechnic Univ. 1966. Jeff has taught Geography, California History, World History and Currently U.S. History at Alta Loma High School with a two year interlude in the US Army 1969-71.

LESSON TITLE: **"To Be or Not To Be ..... That is the Question" (In support of the Constitution, That Is)**

SUBJECT AREA/LEVEL: US History and Government 11-12 Grade

LESSON TIME: Two days

PREREQUISITE: Knowledge of the Constitution and the background of its writing.

INSTRUCTIONAL OBJECTIVES:

1. Students will identify the differing positions held by the Federalists and Anti-Federalists over the ratification of the Constitution.
2. Students will experience advocating a position.

MATERIALS NEEDED:

1. Primary areas of differences (Fig. I)
2. Specific issues and positions (Fig. 2)
3. List of positions to defend (Fig. 3)

PROCEDURE:

OPENING ACTIVITY:

Examine Article VII of the Constitution stating the method used in ratifying the Constitution. Explain Madison's reasons for proposing popularly elected delegates to state ratification conventions rather than ratification by Congress or by State Legislatures. (Because the new Constitution reduced state powers and therefore it might not be ratified by

any other means).

STEP 1

Using a handout or transparency, go over the primary differences between the Federalist and the Anti-Federalists (See Fig. 1).
Compare the Federalist and Anti-Federalist positions on several specific questions (See Fig. 2).

STEP 2

Break class into ten small groups (2,3,or 4 per group).
Have a person from each group draw an issue and position from the ten possibilities (a three cornered colonial hat would be appropriate!) (See Fig.3).

Have each group then draw a method to use to advocate their issue and position. Methods can be assigned, drawn randomly or chosen by each group:

a. write a small pamphlet or flier
b. make a poster for a picket line
c. draw a political cartoon
d. write a letter to the editor

CLOSING ACTIVITY:

When each group has completed their poster, flier, etc. have a spokesperson read show and explain their work to the class. Complete the lesson by summarizing the voting at the state ratification conventions and the agreement between Federalist and Anti-Federalists about the immediate inclusion of a Bill of Rights as soon as the Constitution took effect.

EVALUATION:

This can be done formally by means of objective or subjective written means (list the main objections of Federalists and Anti-Federalists and explain with examples, for example) or it can be done informally through class oral questions and discussion.

FIGURE 1

PRIMARY AREAS OF DIFFERENCES BETWEEN THE FEDERALISTS AND ANTI-FEDERALISTS:

I. What form of Republican government was to be maintained.

II. The power the national Government had under the new Constitution.

III. Whether a Bill of Rights should be included.

FIGURE 2

ISSUES	FEDERALIST:	ANTI-FEDERALIST:
Form of Republican Government	Small communities in danger of faction; Large Republic, with Government of checks and balances and national/state division of power necessary.	Small communities of people equal in wealth and values necessary to protect their own welfare.
Power of the national government	National gov't does have more power. But that is necessary to deal with national tasks involving trade, defense and currency.	National gov't has too much power; power to tax and raise armies could endanger existence of state govt's.
Necessary and proper clause	Necessary and proper clause allows the national gov't to do the things it is responsible for	Necessary and proper clause gives national gov't potential unlimited power; powers should all be listed.
Power in the Executive branch	Executive power necessary to fulfill responsibilities given it; power separated and balanced among the three branches	Too much power in the executive branch, it could turn into a monarchy
Bill of Rights	Bill of Rights unnecessary and could imply that only those rights expressly listed were to be protected	Bill of Rights necessary to protect individuals rights against the power of the national government

FIGURE 3

Federalist	Anti-Federalist
Republic must be large Government of checks and balances and national state division of powers will protect all.	Small republic necessary; small groups necessary so they would agree upon what is best for their common welfare
Government power should be strong at the national level to handle problems defense, currency and trade.	National Government power should be limited, otherwise the state government would wither and die due to lack of of power.
Necessary and proper clause allows national Government to do its job; special circumstances must be allowed for.	Necessary and proper clause is a "blank check" of power to the national government
A strong executive is important to allow the law to be carried out effectively.	Too much power to the executive could result in monarchy.
Bill of Rights not needed to protect rights of the people; they are already well protected.	Without a specific list of absolutely guaranteed rights, these rights might not be protected from the power of the national government.

LESSON 29 p. 1
LEON WAFER

Leon Wafer, Ed.D., is currently teaching ninth grade social studies at Frisbie Junior High in Rialto, California. He has over 17 years of teaching and administrative experience at the secondary school level. He served on the State of California Department of Education's Model Curriculum Standard Committee for History-Social Science. He has effectively integrated technology into the ninth grade social studies curriculum at Frisbie including the use of computers, VCR, and Laser Disc technology.

LESSON TITLE: A Simulation of the Congressional Law-Making Process

SUBJECT AREA/LEVEL: American Government or US History Grades 8-12.

LESSON TIME: 10 Class Sessions

INSTRUCTIONAL OBJECTIVES:
Students will apply their knowledge of the legislative process by participating in a simulation of the law making process and successfully completing the following activities:

1. Using library resources, research a current issue facing your city, state or country.
2. Following the format used by the House of Representatives, write a simple bill designed to resolve the issue selected.
3. Using AppleWorks or Multiscribe, word process your bill. Typing or hand writing in black or blue ink must be used otherwise. (optional)
4. Serving on a committee comprised of 3 to 6 students, review and select one bill and one alternate bill for inclusion in the presentation to the whole class.
5. Presenting a bill to the class as a whole, if selected.
6. Voting on bills presented to the class as a whole.
7. Providing written feedback on each bill reviewed and presented orally to the class.

MATERIALS NEEDED:
1. Chapter on Congress and how laws are made in Congress in any standard

Government textbook.

2. Copy of actual bill submitted in the House of Representatives.
3. A word processing computer program (AppleWorks and/or Multiscribe).
4. VCR and Video tape to record the oral presentations.
5. Participant evaluation forms.

PROCEDURES:

DAY I

OPENING ACTIVITIES:

Provide the students with an incomplete diagram of the steps Congressional bills undergo to become laws. Use this activity either as a review or an introduction of the legislative process. Provide students input on those steps which they missed or did not know.

STEP 1

Provide the students with a bill written by the Congressman or woman representing your Congressional District. Have the students read and discuss the bill.

Homework: Have students either read or reread the chapter of your textbook which deals with the structure of Congress and the procedures which bills must undergo to become a law. Also, require the students to formulate I to 3 questions which they wish to ask the visiting speaker who is scheduled for Day 2. Select one to two issues affecting our nation, state, or city to research.

DAY 2

Speaker -- invite your Congressional Representative or one of his/her staff to speak to your class about how bills become laws and the types of bills he/she has authored and his/her Congressional committee assignment. Allow time for students to ask some of their prepared questions.

Homework: Write a letter to the speaker. Share with the speaker one to two things you learned from the presentation and thank the speaker for coming to speak.

DAY 3

(If your students are not familiar with library research procedures you will have to add an additional day to ensure effective use of the library.) Take students to the library. Limit student research to current periodicals. Require them to have a minimum of 3 different sources to support their position. Have students follow standard research procedures for notes and bibliographic information.

DAY 4
Continue library research. Your class may need a third day in the library.

DAY 5
Write a bill. Provide bill worksheet which is patterned after an actual bill submitted in the House of Representatives.

DAY 6
Can be delayed to allow more time for word processing and typing of bills. Select a speaker of the House and a clerk. The speaker will chair whole class session and select committee chairpersons. Speaker should select committee chairpersons at this time. The clerk receives bill and number each upon receipt. The speaker, clerk, and committee chairperson should divide the submitted student bills equally and place them in folders. Teacher can use whatever means he desires to divide the class into groups of up to six members. Have the class review or read the section of their textbook which covers committee systems of Congress.

DAY 7
Post student committee assignments. Each committee should read and evaluate each bill in their folder. Comments should be made on each bill not selected including a rationale for the bill's rejection. Each committee should select one bill and an alternate to submit to the whole class. Studens whose bills were selected should be notified.
Homework: Students selected to present their bills to the class should prepare a brief oral presentation on the bill.

DAYS 8 & 9
Student presentation of selected bills, discussion, and voting. Schedule three main presenters and three alternates. Alternates should be informed that they will present only if time permits. Following each presentation, a question and answer and debate session should follow. A vote is taken following the presentation of each bill. Students should also write an informal evaluation of each presentation. This should be given to each student for his/her review.
(Video taping the oral presentation is highly recommended)

DAY I0
CLOSING ACTIVITY:
Debriefing and evaluation. Reassemble the committees. Ask each group to diagram the steps which a bill follows to become a law. Also, ask each group to list five adjectives which express their opinion of the legislative process. Each group should make a 2 minute presentation. Teacher recaps the unit and closes the activity.

SAMPLE STUDENT FORMS

Model Congress

Ist Session H.R. _____

In the House of Representatives January 7, I988

_____ of California (for Himself/Herself) introduced the following bill, which was referred to committee number _____.

A BILL

1. Be it enacted by the Senate and House of Representatives of
2. Dr. Leon Wafer's social studies class at Frisbie Junior High
3. School Rialto, California in Congress Assembled.
4. Sec. I. SHORT TITLE
5.

Page 2
I. Sec. 2. FINDINGS.
2.
3.
4.

Page 3
I. Sec. 3. POLICY.
2.
3.
4.

Page 4
I. Sec. 4. IMPLEMENTATION
2.
3.
4.

Name _____Date_____

Model Bill Reaction/Evaluation Sheet

DIRECTIONS: READ THE BILLS WRITTEN BY STUDENTS NUMBER _____ RECORD YOUR REACTIONS TO EACH BILL IN THE SPACE PROVIDED BELOW. ALSO, FORMULATE AND RECORD ANY QUESTIONS YOU WISH TO ASK THE AUTHORS OF THE BILLS FOLLOWING HIS/HER PRESENTATION. AFTER YOU COMPLETE THE SIX BILLS LISTED ABOVE, READ AND EVALUATE THE SIX ALTERNATE BILLS:

BILL NO	BILL TITLE	REACTIONS	QUESTIONS